



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

### Usage guidelines

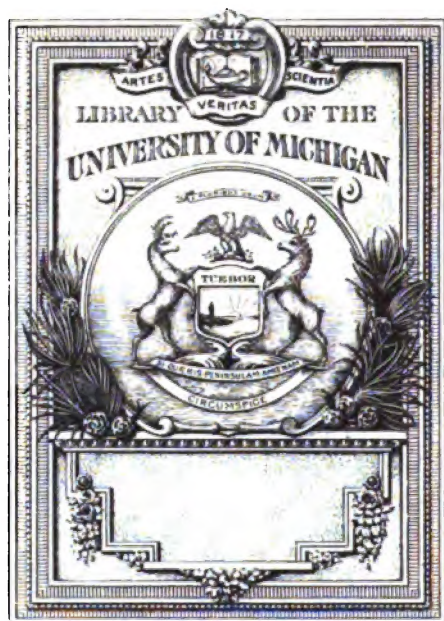
Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

### About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>











1

2







305-6

JOURNAL  
OF  
THE SENATE  
OF THE  
STATE OF MICHIGAN.

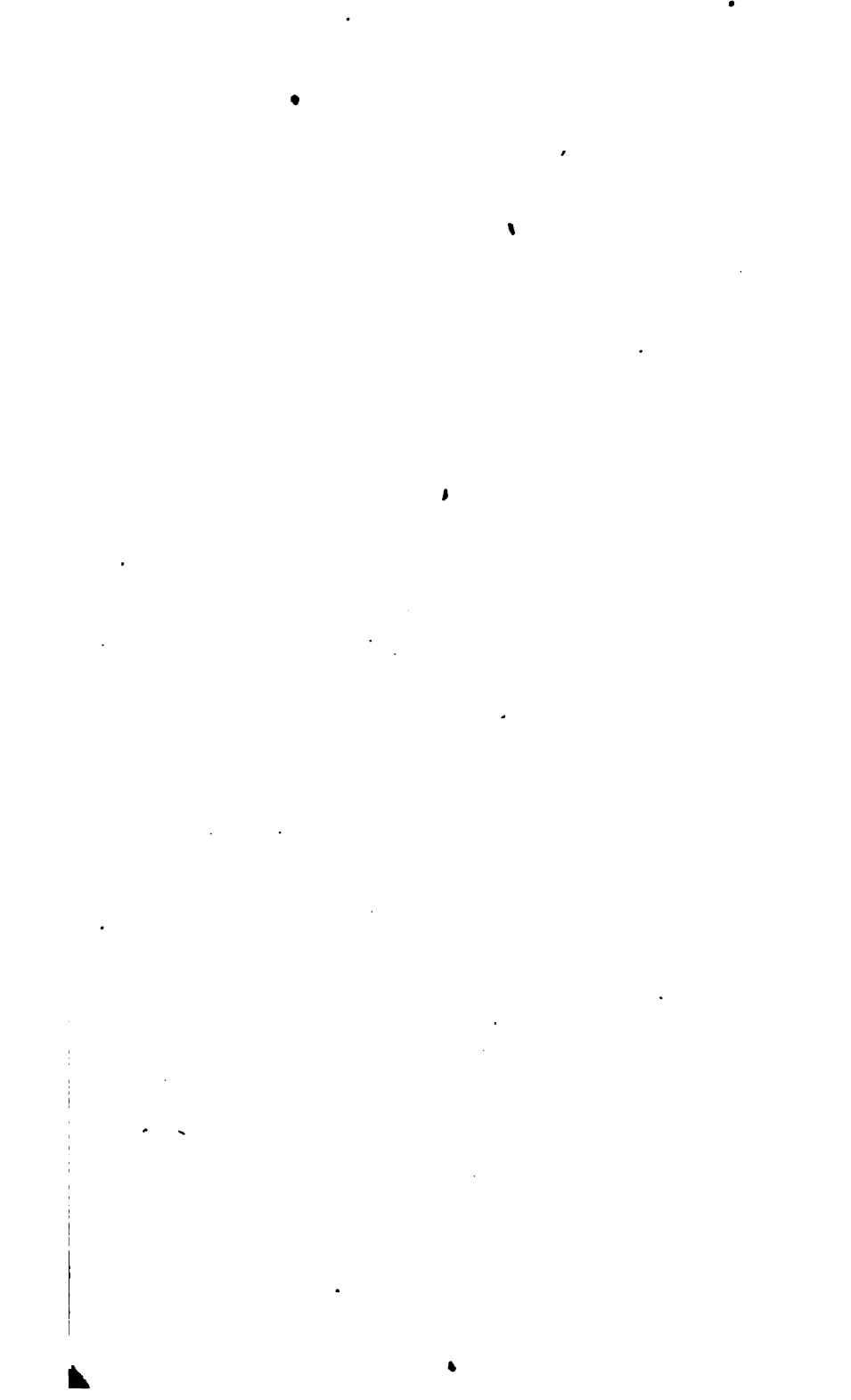
1861.

PRINTED BY VIRTUE OF AN ACT OF THE LEGISLATURE, UNDER THE DIRECTION AND  
SUPERVISION OF

Aaron B. Turner,  
SECRETARY OF THE SENATE.



LANSING:  
Hoemer & Kerr, Printers to the State.  
1861.



# SENATE JOURNAL.

---

*Lansing, Wednesday, January 2, 1861.*

In conformity with the requirements of the constitution of the State of Michigan, for the assembling of the Legislature of said State, on this day, at eleven o'clock, A. M., the Senate thereof convened in the Senate Chamber, in the Capitol of said State, and was called to order by Hon. James Birney, Lieutenant Governor and President of the Senate.

The roll having been called by Aaron B. Turner, Secretary of the Senate *pro tem.*, the following named Senators elect answered, severally presented themselves, subscribed the constitutional oath of office, and took their seats as Senators :

From the 1st District—William Adair.

"	2d	"	Henry P. Baldwin.
"	3d	"	Henry T. Backus.
"	4th	"	John L. Near.
"	5th	"	Byron G. Stout.
"	6th	"	John G. Owen.
"	7th	"	Thomas D. Lane.
"	8th	"	Nathan Webb.
"	9th	"	Samuel Mulholland.
"	10th	"	William Baker, Jr.
"	11th	"	Joel Carpenter.
"	12th	"	Charles V. DeLand.
"	13th	"	Geo. H. French.
"	14th	"	John McDermid.
"	15th	"	Darius Monroe.
"	16th	"	Joseph R. Williams.





# SENATE JOURNAL.

---

*Lansing, Wednesday, January 2, 1861.*

In conformity with the requirements of the constitution of the State of Michigan, for the assembling of the Legislature of said State, on this day, at eleven o'clock, A. M., the Senate thereof convened in the Senate Chamber, in the Capitol of said State, and was called to order by Hon. James Birney, Lieutenant Governor and President of the Senate.

The roll having been called by Aaron B. Turner, Secretary of the Senate *pro tem.*, the following named Senators elect answered, severally presented themselves, subscribed the constitutional oath of office, and took their seats as Senators :

From the 1st District—William Adair.

"	2d	"	Henry P. Baldwin.
"	3d	"	Henry T. Backus.
"	4th	"	John L. Near.
"	5th	"	Byron G. Stout.
"	6th	"	John G. Owen.
"	7th	"	Thomas D. Lane.
"	8th	"	Nathan Webb.
"	9th	"	Samuel Mulholland.
"	10th	"	William Baker, Jr.
"	11th	"	Joel Carpenter.
"	12th	"	Charles V. DeLand.
"	13th	"	Geo. H. French.
"	14th	"	John McDermid.
"	15th	"	Darius Monroe.
"	16th	"	Joseph R. Williams.

From the 17th District—Gilman C. Jones.

"	18th	"	Elijah Lacey.
"	19th	"	Henry C. Briggs.
"	20th	"	Stephen F. Brown.
"	21st	"	Norman Bailey.
"	22d	"	Randolph Strickland.
"	23d	"	John H. Galloway.
"	24th	"	Elbridge G. Gale.
"	25th	"	Ira H. Butterfield.
"	26th	"	Ezra Hazen.
"	27th	"	Daniel G. Wilder.
"	28th	"	John N. Ingersoll.
"	29th	"	Solomon L. Withey.
"	30th	"	Osmond Tower.
"	31st	"	Nelson Green.
"	32d	"	

Mr. Strickland moved that the Senate proceed to the  
of permanent officers,

Which motion prevailed.

On motion of Mr. Stout,

The Senate proceeded to the election of Secretary,  
following result:

**FOR AARON B. TURNER.**

<b>Mr. Backus,</b>	<b>Mr. Gale,</b>	<b>Mr. Mulholl</b>
Bailey,	Galloway,	Near,
Baker,	Green,	Owen,
Baldwin,	Hazen,	Stout,
Briggs,	Ingersoll,	Strickland,
Brown,	Jones,	Tower,
Butterfield,	Lacy,	Webb,
Carpenter,	Lane,	Wilder,
DeLand,	McDermid,	Williar
French,	Monroe,	Withey

**FOR E. D. BURR.**

Mr. Adair,

Aaron B. Turner was declared duly elected Secretary  
Senate.

On motion of Mr. Stout,

The Senate proceeded to the election of a Sergeant-at-Arms, with the following result :

FOR JOHN R. MARTIN.

Mr. Backus,	Mr. Gale,	Mr. Mulholland,
Bailey,	Galloway,	Near,
Baker,	Green,	Owen,
Baldwin,	Hazen,	Stout,
Briggs,	Ingersoll,	Strickland,
Brown,	Jones,	Tower,
Butterfield,	Lacy,	Webb,
Carpenter,	Lane,	Wilder,
DeLand,	McDermid,	Williams,
French,	Monroe,	Withey,

FOR WILLIAM BARCLAY.

Mr. Adair,

1

John R. Martin was declared duly elected Sergeant-at-Arms.

On motion of Mr. Tower,

The Senate proceeded to the election of Enrolling and Engrossing Clerk, with the following result :

FOR JAMES M. ROSSE.

Mr. Backus,	Mr. Gale,	Mr. Mulholland,
Bailey,	Galloway,	Near,
Baker,	Green,	Owen,
Baldwin,	Hazen,	Strickland,
Briggs,	Ingersoll,	Tower,
Brown,	Jones,	Webb,
Butterfield,	Lacy,	Wilder,
Carpenter,	Lane,	Williams,
DeLand,	Monroe,	Withey,
French,		

26

FOR E. H. WHITNEY.

Mr. Adair,

1

James M. Rosse was declared duly elected Enrolling and Engrossing Clerk.

On motion of Mr. Ingersoll,

*Resolved*, That the Secretary of the Senate, the Enrolling and Engrossing Clerk, and the Sergeant-at-Arms, be and the same are hereby authorized each to appoint one assistant or deputy to the several offices named.

Mr. Strickland moved the following as a substitute :

*Resolved*, That Adam W. Pattridge be and he is hereby appointed Assistant Sergeant-at-Arms in the Senate ;

Which motion did not prevail.

Mr. Strickland moved that the resolution lie on the table at three o'clock P. M.;

Which motion did not prevail.

Mr. Lane offered the following :

*Resolved*, That the motion before the house be so amended as to allow the Senate to elect by ballot the Assistant Sergeant-at-Arms ;

Which resolution did not prevail.

The question recurring on the original resolution, the same was adopted.

On motion of Mr. Ingersoll, it was

*Resolved*, That a committee of two be appointed to wait on the House of Representatives, and inform that body that the Senate is organized and ready to proceed to business.

The President appointed Senators Ingersoll and Adams a committee.

On motion of Mr. Strickland, it was

*Resolved*, That the resident clergymen of Lansing be authorized to officiate alternately as Chaplains to the Senate.

Mr. Brown offered the following :

*Resolved*, That D. C. Henderson, of Allegan county, be and he is hereby appointed Reporter to the Senate for the present session, at a salary not to exceed three dollars per day, and that he shall be authorized to furnish sketches of debates of this body to any paper or papers as the President of the Senate shall desire.

Mr. Ingersoll moved to strike out the name of D. C. Henderson and insert Wm. A. Bryce.

Mr. Tower moved to lay the resolution on the table ;

Which motion did not prevail.

The question being on the amendment,

Mr. Tower moved to amend by striking out the name of Wm. A. Bryce, and inserting A. H. Proctor.

Mr. DeLand moved that the whole subject be indefinitely postponed ;

Pending which,

Mr. Ingersoll moved that the Senate take a recess until two o'clock.

Lost.

The motion to postpone indefinitely, prevailed, by yeas and nays as follows :

#### YEAS.

Mr. Bailey,	Mr. Galloway,	Mr. Near,	
Baker,	Green,	Stout,	
Baldwin,	Hazen,	Strickland,	
Briggs,	Jones,	Tower,	
Butterfield,	Lacy,	Webb,	
Carpenter,	Lane,	Williams,	
DeLand,	McDonald,	Withey,	
French,	Mulholland,		23

#### NAYS.

Mr. Adair,	Mr. Gale,	Mr. Owen,	
Beckus,	Ingersoll,	Wilder,	
Brown,	Monroe,		8

On motion of Mr. Carpenter, it was

*Resolved*, That until otherwise ordered, the standing rules of the last Senate be adopted as the rules of this body.

On motion of Mr. Owen, it was

*Resolved*, That the Secretary of the Senate be instructed to furnish the officers and members of the Senate each a copy of the Senate Manual of 1859.

Mr. DeLand offered the following:

*Resolved*, That the President be authorized to appoint four messengers and two firemen.

Mr. Strickland moved to strike out four and insert three.

Lost.

Mr. Owen moved to strike out two and insert one.

Carried.

The resolution, as amended, was then adopted.

On motion of Mr. Jones,

*Resolved*, That each member of the Senate be allowed five



dollars for stationery, and that the committee on supplies be required to furnish the President, Secretary, Enrolling and Engrossing Clerk, and the chairman of each standing and select committees such amount of stationery as may be necessary for their use.

On motion of Mr. Stout,

*Resolved*, That the Enrolling and Engrossing Clerk be instructed not to make appointment of Deputy until the same shall be deemed necessary by the committee on enrolled bill.

On motion of Mr. Backus,

*Resolved*, That a committee of two from the Senate, with a like committee from the House, be appointed to wait upon present and retiring Governors to notify them that the two houses are prepared to receive any communication they may desire to make.

Senators Backus and DeLand were appointed said committee.

On motion of Mr. Ingersoll,

*Resolved*, That the Secretary of the Senate be instructed to order 500 copies of the daily journal of the Senate for the use of its members.

On motion of Mr. Carpenter,

The Senate took a recess until two o'clock, P. M.

---

AFTERNOON SESSION.

The Senate was called to order at 2 o'clock.

Roll called : a quorum present.

On motion of Mr. Carpenter,

*Resolved*, By the Senate (the House concurring); That the joint rules of the Senate and House of Representatives, and the rules in joint convention of the last Legislature be and are hereby adopted as the rules of the present Senate and House of Representatives until otherwise ordered.

On motion of Mr. Tower,

*Resolved*, That the daily session of the Senate commence at 10 o'clock, until otherwise ordered.

On motion of Mr. Strickland,

*Resolved*, That the use of the Senate Chamber be granted to the First Universalist Church of Lansing, for the purpose of religious worship on the Sabbath, during the present session.

The committee appointed to inform the House of the organization of the Senate, reported through its chairman that they had performed that duty.

A committee of the House of Representatives announced that the House was organized, and ready to proceed to business.

MESSAGE FROM THE OTHER HOUSE.

The President announced the following communication from the House:

HOUSE OF REPRESENTATIVES, }  
*Lansing, January 2, 1860.* }

*To the President of the Senate:*

SIR:—I am instructed to transmit the following resolution, which has passed the House :

*Resolved*, That a committee of two be appointed by the Speaker, to act with a like committee on the part of the Senate, to wait upon the retiring and the present Governors, and inform them that the two Houses are now organized and ready to receive any communication they may desire to make.

Messrs. Sessions and Hill have been appointed said committee.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

Mr. Ingersoll gave notice that on some future day he should ask leave to introduce

A bill to amend the charter of the city of Owosso.

The committee appointed by the Senate to act with a like committee on the part of the House, and inform the present and retiring Governors of the organization of the two Houses, reported that duty as having been discharged.

Mr. Carpenter gave notice that he should, on some future day, ask leave to present

A bill to amend section 1399 of the Compiled Laws.

Mr. De Land gave notice that he should ask leave at some future day to introduce

A bill to change the name of Clarissa Melissa Wing to Clara Barnes.

Mr. Baldwin gave notice that at some future time he should ask leave to introduce

A bill to amend an act entitled "an act to provide for the construction of train railways," approved February 13, 1855.

Also,

A bill to amend an act entitled "an act to provide for the incorporation of railroad companies," approved February 12, 1855.

Also,

A bill to amend an act entitled "an act relative to plank roads," approved March 13, 1848;

Also,

A bill to amend section 2033 of the compiled laws.

The committee of the Senate, appointed to act with a like committee on the part of the House, to wait upon the acting and retiring Governors, reported that they had discharged that duty; that the retiring Governor would communicate in person with the Senate and House of Representatives, in joint convention, as soon as such joint convention should assemble, and that the acting Governor would communicate with a like joint convention to-morrow, at half past ten o'clock A. M.

On motion of Mr. DeLand,

The Secretary was instructed to inform the House that the Senate was ready to meet the House in joint convention forthwith.

Mr. Ingersoll offered the following:

*Resolved*, That the 27th standing rule of the Senate be amended by inserting numerically, "23d. On State salt springs and salt manufacture."

Which resolution was laid on the table.

A committee from the House announced to the Senate that

the House was ready to receive the Senate in joint convention.

Whereupon the Senate proceeded to the hall of the House of Representatives, to meet in joint convention.

After being absent a short time the Senate returned, when the President announced that the retiring Governor had just communicated to the two houses of the Legislature in joint convention, a Message.

Mr. DeLand moved that one thousand copies of the retiring Governor's message be ordered printed for the use of the Senate.

Mr. Stout moved to amend by striking out "one thousand" and inserting "five hundred."

Which motion was withdrawn by the mover.

Mr. Ingersoll moved to amend by adding the words, "and also five hundred copies each in the German and Holland languages."

Mr. Baldwin moved to amend the amendment by striking out "five hundred" and inserting "two hundred and fifty."

The last motion was withdrawn.

The pending amendment was accepted by the mover of the original resolution, and the same prevailed.

On motion of Mr. Ingersoll,.

*Resolved*, That the State Printer be instructed to transmit to each newspaper in the State one copy of the daily journal of the Senate, during the session.

The Senate then adjourned till to-morrow morning at ten o'clock.

---

*Lansing, Thursday, January 3, 1861.*

Senate called to order by the President.

Roll called: a quorum present.

Mr. DeLand moved that the reading of the journal be dispensed with until otherwise ordered.

Lost.

The journal was read, in part, and

On motion of Mr. Tower,

The further reading was dispensed with.

The Secretary of the Senate, the Sergeant-at-Arms, and the Enrolling and Engrossing Clerk, elect, severally subscribed, and were sworn to the constitutional oath of office.

The President announced the following communication :

*To the President of the Senate :*

In pursuance of resolution of the Senate, I have this day appointed Mr. John C. Rockafellow, as Deputy Sergeant-at-Arms, for the Senate.

JOHN R. MARTIN,  
*Sergeant-at-Arms.*

Lansing, Jan. 3, 1861.

Mr. John C. Rockafellow came forward, was sworn, and subscribed to the constitutional oath of office.

PETITIONS PRESENTED.

By Mr. Withey:

Of Milo White and 176 others, for the enactment of a law to prevent dogs from running at large unmuzzled, and for a general tax on dogs.

Also,

Of James A. Simonds and 75 others, for the same:

Also,

Of S. S. Bailey and 104 others, for the same;

Which were severally referred to the committee on agriculture.

By Mr. DeLand:

Memorial of the Supervisors of the county of Jackson for a law to restrain the running at large of dogs, &c.

Referred to the same committee.

Also,

Petition of D. Fisher and 5 others, for a repeal of the charter of the Jackson & Michigan Plank Road Company.

Referred to the committee on incorporations.

Also,

Of W. H. Dwelle and others, for the same.



Referred to the same committee.

By Mr. Baldwin:

Of Bridge, Lewis & Co., E. B. Ward, Buhl & Ducharme, Town & Sheldon, John Owen, and 96 other business men and merchants of Detroit, representing that the "Provisional Government" of Canada has, practically, violated the spirit of the "Reciprocity Treaty," so called, and asking the Legislature of Michigan to take such action as will be most likely to result in the amendment or abrogation of the treaty.

Referred to the committee on federal relations.

#### MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Owen,

*Resolved*, That the Secretary of the Senate be and is hereby instructed to communicate to the resident Clergymen of Lansing the resolution passed by this body yesterday, inviting them to officiate alternately as chaplains, and invite their attendance on this body.

Mr. Ingersoll introduced the following resolution:

*Resolved*, (The House of Representatives concurring,) That the committee on printing be instructed to prepare and cause to be published, with all possible dispatch, for the use of the two Houses of this and the next Legislature, a Manual, containing the rules of each House, joint rules, Constitutions of the United States and the State of Michigan, and such other matter as is usually contained in such work, or that they may deem proper.

Mr. Brown moved to strike out the last clause.

Pending which,

The following message from the House was announced by the President:

HOUSE OF REPRESENTATIVES, }  
Lansing, January 2, 1861. }

To the President of the Senate:

SIR:—I am instructed to transmit to the Senate the following resolution which has passed the House:

*Resolved*, That a committee of two be appointed to wait upon.

the Senate and inform that body that the House is now ready to go into joint convention to receive the message of the Governor.

Messrs. A. W. Davis and Gregory have been appointed said committee.

Very respectfully,

ED. W. BARBER,

*Clerk of House of Representatives.*

The message was laid on the table, and the House committee appeared and announced that the House was ready to receive the Senate in joint convention.

On motion of Mr. Stout,

The pending resolution was laid on the table.

On motion of Mr. Brown,

The Senate proceeded to the Hall of the House, to receive a communication from the Governor in joint convention.

After a short absence the Senate returned and the President announced that a communication had been received from the Governor to the two Houses in joint convention.

On motion of Mr. Ingersoll,

The resolution in relation to the Manual was taken from the table ;

And the question being on the amendment, the same did not prevail.

The resolution was adopted.

Mr. Backus gave notice that he would, at some future time, ask leave to introduce the following bills :

A bill to amend the charter of the city of Detroit.

A bill to amend the act entitled an act to provide for the incorporation of rail road companies.

A bill to amend the compiled laws in relation to the abatement and renewal of suits in chancery.

On motion of Mr. Ingersoll,

*Resolved*, That a committee of three on division of subjects, recommended by the Governors' messages, be appointed by the Chair, with instructions to report as soon as practicable.

Mr. Baldwin gave notice that on some future day he should ask leave to introduce

A bill to amend sections 7, 18, and 21 of revised statutes, being sections 154, 160 and 173 of compiled laws ;

Also,

A preamble and joint resolution relative to the reciprocity treaty, so called.

Mr. Withey gave notice that he would, on some future day, ask leave to introduce

A bill to amend the compiled laws in relation to the testimony of parties in civil suits.

Mr. Adair gave notice that he should, on some future day, ask leave to introduce

A bill to amend an act entitled "an act to amend an act to revise the charter of the city of Detroit, approved February 5th, 1857."

Mr. Tower introduced the following :

*Resolved*, That the resolution adopted yesterday, granting supplies to the chairman of committees, be so amended as to limit the amount to ten dollars.

Laid on the table.

On motion of Mr. Withey,

The Senate took a recess until two o'clock, P. M.

---

AFTERNOON SESSION.

The President announced the following

MESSAGE FROM THE OTHER HOUSE.

HOUSE OF REPRESENTATIVES, }  
Lansing, January 3, 1860. }

*To the President of the Senate :*

Sir :—I herewith transmit to you a copy of the inaugural message of His Excellency, Governor Blair, this day delivered in joint convention of the two Houses.

Very respectfully,

ED. W. BARBER,

*Clerk of House of Representatives.*

Which messages were laid on the table.

Mr. Tower offered the following:

*Resolved*, That one thousand copies of the Governor's message in English, five hundred in each of the German and Holland languages, and two hundred and fifty in French, be printed for the use of the Senate.

Adopted.

Mr. Stout gave notice that at some future time he would ask leave to introduce

A bill to repeal act No. 29 of the session law of 1859.

Mr. Tower gave notice that on some future day he should ask leave to introduce

A bill to use the proceeds of the money appropriated by the last Legislature for the relief of Gratiot and other new counties, on the roads in those counties.

Mr. Strickland gave notice that on some future day he should ask leave to introduce

A bill to amend sections 184 and 194, of chapter 117, of the compiled laws.

Also,

A bill to amend section three of chapter 118, of the compiled laws.

The President announced the following

STANDING COMMITTEES:

*Supplies and Expenditures*—Bailey, Gale, Monroe.

*Claims*—Jones, French, Baker.

*Finance*—Baldwin, Stout, DeLand.

*Judiciary*—Backus, Withey, Strickland.

*Militia*—Brown, Tower, Galloway.

*Internal Improvements*—Carpenter, Lane, Mulholland.

*Roads and Bridges*—Green, Wilder, Owen.

*Public Instruction*—Withey, Webb, Butterfield.

*State Prison*—Near, Mulholland, Gale.

*Asylum for Insane*—Webb, Carpenter, Lacey.

*Asylum for Deaf, Dumb and Blind*—French, Near, Wilder.

*House of Correction*—Gale, Galloway, Lane.

*Incorporations*—Williams, Baldwin, Carpenter.

*Division of Towns and Counties*—DeLand, Owen, Hazen.

*Agriculture*—Butterfield, Brown, Tower.

*Manufactures*—Wilder, McDermid, Adair.

*Privileges and Elections*—Tower, Monroe, Brown.

*Enrolled Bills*—Briggs, Jones, Baker.

*State Library*—Lane, Williams, Ingersoll.

*Expiring Laws*—Adair, Brown, McDermid.

*State Affairs*—Stout, Backus, Williams.

*Printing*—Lacey, Ingersoll, DeLand.

*Public Lands*—Hazen, Wilder, Stout.

*Mines and Minerals*—Coulter, Galloway, Near.

*Federal Relations*—Ingersoll, Williams, Webb.

On motion of Mr. DeLand,

*Resolved*, (The House concurring,) that the committee on printing, of each House, be authorized to act as a joint committee in procuring the translation and printing of the Governors' Messages in the foreign languages.

On motion of Mr. Ingersoll,

*Resolved*, That a list of the standing committees be printed for the use of the Senate.

On motion of Mr. Baker,

*Resolved*, That the State Printer be directed to print 500 copies of the annual reports of Inspectors of the State Prison, of the Board of Control, Commissioner of the Land Office and the Auditor General.

On motion of Mr. Tower,

The resolution with reference to limiting the amount of stationery to chairmen of committees was taken from the table, and upon the question of adoption the same was lost.

On motion of Mr. Tower,

The last vote was reconsidered, and the vote being taken by yeas and nays, the resolution was lost, as follows :

## YEAS.

Mr. Adair,  
Bailey,  
Baldwin,  
Brown,  
French,

Mr. Galloway,  
Lacy,  
Lane,  
Mulholland,

Mr. Stout,  
Tower,  
Wilder,  
Withey,

13

## NAYS.

Mr. Backus,  
Baker,  
Briggs,  
Butterfield,  
Carpenter,  
DeLand,

Mr. Gale,  
Green,  
Hazen,  
Ingersoll,  
Jones,  
McDermid,

Mr. Monroe,  
Near,  
Owen,  
Strickland,  
Webb,  
Williams,

13

Mr. Brown moved that the Senate adjourn.

Mr. Adair moved to amend by adding the words "till Saturday next, at ten o'clock ;"

Which motion did not prevail.

The Senate then adjourned till to-morrow morning, at ten o'clock.

---

*Lansing, Friday, January 4, 1861.*

Senate called to order by the President.

Prayer by Rev. Mr. Meyer.

Roll called : quorum present.

Mr. Ingersoll asked leave of absence for Mr. Backus until Tuesday morning.

Granted.

The President announced the following select committee on division of subjects recommended by the Messages of the retiring and acting Governors :

Senators Ingersoll, Brown, Lane.

The President announced the following communication :

*To the Hon., the President of the Senate :*

In pursuance of a resolution of the Senate, I have this day appointed William A. Bryce as Assistant Secretary of the Senate.

A. B. TURNER,  
*Secretary of the Senate.*

January 3, 1861.

William A. Bryce was sworn and subscribed to the constitutional oath of office.

The journal of yesterday was read and approved.

Mr. Lacey asked and obtained leave of absence for Mr. Owen.

Mr. Jones moved that the Senate adjourn till Saturday morning at ten o'clock, A. M.

Mr. Baldwin offered the following preamble and resolution as a substitute :

*Whereas*, The President of the United States has appointed this day to be observed by the people of the several States of the Union as a day of fasting, humiliation and prayer for the preservation of the Union ;

*And whereas*, The Legislature of this State did, at its last session, enact a law declaring that any such day so appointed or recommended by the President of the United States, should for certain purposes be treated and considered as the first day of the week commonly called Sunday ;

*And whereas*, The people of the State of Michigan are a law-abiding people, and are desirous of observing all proper recommendations of the Chief Magistrate of the country ; therefore

*Resolved*, That the Senate do now adjourn until to-morrow, at ten o'clock, A. M.

The substitute was accepted by the mover of the original motion.

Mr. Webb offered the following as a substitute :

*Whereas*, The Chief Magistrate of the Nation having recommended this day to be devoted to solemn acts of religious worship—and although that "public functionary," by his want of efficiency and patriotism may have forfeited the respect of men, so that in all our wide extended country there are none so poor as to do him reverence ; yet a proper sense of dependence on Almighty God, as well as due deference to the religious sentiment of the people, makes the observance of the recommendation eminently proper ; therefore

*Resolved*, That the Senate do now adjourn until Monday morning at 10 A. M.

Mr. Adair submitted the following as an amendment of the substitute :

*Whereas*, The President of the United States has appointed this day as a day of fasting and prayer, for the preservation of the Union, and if little attention can be paid to the recommendations of James Buchanan, a proclamation from the Chief Executive of the Nation should command respect. And, as it is proper that we should at all times humble ourselves before the Supreme Ruler of the Universe, and eminently so at the present time, when the rude surges of fanaticism have nearly overwhelmed the ship of State, let us, instead of adding to the storm, rather "pour oil on the troubled waters," and thus prove by our actions, that we still love the Union ; and as no material interest of the State can suffer at the present time ; therefore

*Resolved*, That the Senate now adjourn till to-morrow at 10 o'clock.

Mr. Withey moved to amend by striking out all of the preamble after the word " respect."

Which motion prevailed.

Mr. Tower moved to strike out all after the word " adjourn,"

Mr. Baldwin moved the previous question.

The main question being ordered,

The motion to strike out was lost.

The question then being on the adoption of the amendment of the substitute, the same was lost, by yeas and nays, as follows:

YEAS.

Mr. Adair,

Mr. Lane,

Mr. Withey,

3

NAYS.

Mr. Bailey,

Mr. Gale,

Mr. Mulholland,

Baker,

Galloway,

Near,

Baldwin,

Green,

Stout,

Briggs,

Hazen,

Strickland,

Brown,

Ingersoll,

Tower,

Butterfield,

Jones,

Webb,

Carpenter,

Lacy,

Wilder,

DeLand,

McDermid,

Williams,

French,

Monroe,

26



The substitute was lost, by yeas and nays, as follows:

## YEAS.

Mr. Carpenter,  
Webb,

Mr. Gale,

Mr. Ingersoll,

4

## NAYS.

Mr. Adair,  
Bailey,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
De Land,  
French,

Mr. Galloway,  
Green,  
Hazen,  
Jones,  
Lacy,  
Lane,  
McDermid,  
Monroe,

Mr. Mulholland,  
Near,  
Stout,  
Strickland,  
Tower,  
Wilder,  
Williams,  
Withey,

25

The question being on the adoption of the original preamble and resolution, the same prevailed.

The President declared an adjournment until to-morrow morning at ten o'clock.

---

*Lansing, Saturday, January 5, 1861.*

The Senate was called to order at 10 o'clock.

Prayer by the Rev. James McLeod.

Roll called: quorum present.

Absent, with leave, Senators Backus and Owen: absent, without leave, Senator Adair.

The Journal of yesterday was read and approved.

Mr. DeLand asked and obtained leave of absence for Mr. Galloway, for an indefinite period.

## PRESENTATION OF PETITIONS.

By Mr. Near:

Petition of George V. Clark and 32 others, of the county of Wayne, asking for extension of time for the payment of a certain drain tax;

Also,

Of Lewis Vreland and 16 others, of the county of Wayne, for the same object;

Referred to the committee on the judiciary.

By Mr. Tower :

Petition of Joseph M. Fuller and 115 others, citizens of Montcalm county, for an appropriation of swamp lands and money on a State Road from Greenville, in the county of Montcalm, to Big Rapids, in the county of Mecosta.

Of Horatio N. Kibby and 31 others, citizens of Mecosta county, for the same;

Of Corydon E. Fuller and 51 others, for the same;

Of Allen Griffin and 24 others, for the same.

Mr. Tower moved that all of said several petitions be laid on the table, and the body thereof entered upon the journal,

Which motion did not prevail.

The petitions were laid on the table.

By Mr. DeLand :

Petition of S. A. Barnes and Harriet Barnes, for a change of the name of Clarissa Melissa Wing to Clara Barnes;

Referred to the committee on State affairs.

Also,

Petition of P. D. Montgomery and 39 others, citizens of Jackson, Eaton and Ingham counties, for the repeal of the charter of the Jackson & Michigan Plank Road Company ;

Also:

Of T. B. White and 52 other citizens of Jackson county, for the same ;

Which petitions were referred to the committee on incorporations.

#### REPORTS OF SELECT COMMITTEES.

Mr. Ingersoll made the following report:

The select committee to whom was referred the division and reference of subjects recommended in the Governors' messages, respectfully report and recommend as follows : .

1. That so much of Gov. Wisner's message as relates to a Female College, so much as relates to a new State Capitol, also, so much as relates to the Gratiot relief fund, be referred to the committee on finance.

That so much as relates to the geological survey, and so much

as relates to the encouragement of emigration and to the employment of an emigrant agency, be referred to the committee on State affairs.

That so much as relates to the Saut Ste Marie Canal loan and improvements, and so much as relates to the lands granted by Congress to aid in the construction of railroads and the subjects connected therewith, be referred to the committee on federal relations.

That so much as relates to the subject of swamp lands and swamp land roads, be referred to the committee on public lands.

That so much as relates to the Muskegon river improvement, be referred to the committee on internal improvement.

2. That so much of Gov. Blair's message as relates to the apportionment of Senate and Congressional districts, be referred to the committee on State affairs.

That so much as relates to the amendment of the registry law, be referred to the committee on elections.

That so much as relates to the amendment of the law for the assessment and collection of taxes, be referred to the committee on the judiciary.

3. That so much of both messages as refers to the State debt, sinking fund, and appropriations, be referred to the committee on finance.

That so much as refers to the State Prison, be referred to the committee on State Prison.

That so much as relates to education, be referred to the committee on public instruction.

That so much as refers to the Agricultural College, be referred to the committee on agriculture.

That so much as relates to the School of Reform, be referred to a committee on the School of Reform.

That so much as relates to the Asylum for the Deaf, Dumb and Blind, be referred to the committee on Asylum for Deaf, Dumb and Blind.

That so much as relates to the Asylum for the Insane, be referred to the committee on Asylum for the Insane.

That so much as relates to the militia and military, be referred to the committee on militia.

That so much as relates to the amendment of the banking law, be referred to the committee on incorporations.

That so much as relates to the Union, be referred to the committee on federal relations.

That so much as relates to the salt interests of the State, be referred to a select committee of three.

4. Your committee would further recommend that that portion of Gov. Blair's message which relates to an investigation of the Treasury, be referred to a joint committee of both Houses, and would therefore respectfully ask the adoption of the accompanying resolution.

All of which is respectfully submitted.

JOHN N. INGERSOLL,

*Chairman.*

*Resolved*, (the House of Representatives concurring,) That a joint committee of two from the Senate and three from the House, be appointed to investigate the treasury department of this State, and the official acts of John McKinney, late State Treasurer, and that said committee have full power to send for persons and papers, and that they be requested to report thereon with such expedition as their duties will permit.

The report was accepted.

Mr. DeLand moved to amend the report so as to refer so much of the Governors' messages as relate to the salt interests of the State to the committee on manufactures.

Mr. Withey moved that all of said report, except that portion relating to an investigation of the Treasury, be laid on the table ;

Which motion prevailed.

On motion of Mr. Gale,

The resolution accompanying the report was adopted.

## MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Strickland offered the following:

*Resolved*, That five hundred additional copies of the Journal of the Senate be printed for the use of the Senate.

Mr. Jones moved to amend by striking out "five hundred," and inserting "one thousand."

Mr. Carpenter moved to lay the resolution on the table, which motion was lost by the following vote:

## YEAS.

Mr. Carpenter,	Mr. Hazen,	Mr. Mulholland,
DeLand,	Lane,	Stout,

6

## NAYS.

Mr. Adair,	Mr. Gale,	Mr. Near,
Bailey,	Galloway,	Strickland,
Baker,	Green,	Tower,
Baldwin,	Ingersoll,	Webb,
Briggs,	Jones,	Wilder,
Brown,	Lacy,	Williams,
Butterfield,	McDermid,	Withey,
French,	Monroe,	

23

Mr. Baldwin moved to amend the motion to strike out and insert, by inserting "four hundred."

Mr. DeLand called for a division of the question.

The motion to strike out "five hundred" did not prevail.

Mr. Ingersoll moved to reconsider the vote last taken;

Which motion was lost.

The resolution was adopted.

Mr. Ingersoll gave notice that he should ask leave, on some future day, to introduce

A bill to amend section 4 of act No. 248, approved February 15, 1859, relative to insurance companies.

Mr. Stout gave notice that at some future time he should ask leave to introduce

Joint resolution to provide for the amendment of the general banking law;

Also,

A bill to provide for the payment of the indebtedness of the State, falling due on and before January, 1863.

Mr. Stout, in pursuance of previous notice, leave being granted, introduced

A bill to repeal Act No. 29 of the session laws of 1859;

Which was read twice, and referred to the committee on State affairs.

Mr. Monroe gave notice that on some future day, he should ask leave to introduce

A bill to alter and amend chapter 22 of the compiled laws, in relation to laying out, altering and discontinuing public roads.

Mr. Jones gave notice that at some future time he should ask leave to introduce

A bill to amend section 12 of article 13 of the constitution of this State ;

Also,

A bill to amend section 1 of act No. 187 of the session laws of 1859.

Mr. Carpenter gave notice that at some future time he should ask leave to introduce

A bill to amend an act entitled an act to authorize proceedings against garnishees and for other purposes, approved March 28th, 1849.

Mr. Withey gave notice that on some future day, he should ask leave to introduce

A bill to amend section 2014 of the compiled laws ;

Also,

A bill to amend section 5860 of the compiled laws ;

Also,

A bill to amend sections 1800 and 1819 of the compiled laws ;

Also,

A bill to amend sec. 4, of act No. 248, of the laws of 1859.

On motion of Mr. DeLand it was

*Resolved*, That the Secretary be directed to furnish each of the State officers with a copy of the daily journal, and all

reports, documents and bills, ordered printed by the Senate during the session.

Mr. Baldwin, pursuant to notice, leave being granted, introduced

A bill to amend an act entitled "an act to provide for the construction of train railways ;"

Also,

A bill to amend an act entitled "an act relative to plank roads," approved March 13, 1848 ;

Which bills were read twice, and referred to the committee on incorporations.

Mr. Baldwin also introduced

A bill to amend section 2033 of the compiled laws, relative to gifts and bequests to religious societies ;

Which was read twice and referred to the committee on public instruction.

Also,

A bill to amend an act entitled "an act to provide for the incorporation of railroad companies," approved February 12, 1855 ;

Which was read twice, ordered printed, and referred to the committee on incorporations.

Also,

A bill to amend sections 7, 13 and 21, chapter 12, of the revised statutes, being sections 154, 160 and 173 of the compiled laws ;

Which was read twice, and referred to the committee on State affairs.

Mr. Baldwin also introduced a

Preamble and joint resolution upon the reciprocity treaty.

Read twice and referred to the committee on federal relations.

The President announced the following appointments.

*Messengers*—Frank Skeels, Robert Warren, John Swift, Arthur Birney.

*Fireman*—Michael McNamara.

Mr. DeLand, pursuant to previous notice, leave being granted, introduced

A bill to change the name of Clarissa Melissa Wing to Clara Barnes;

Which was read twice, and referred to the committee on State affairs.

Mr. Strickland gave notice that on some future day he should ask leave to introduce

Joint resolution for the relief of John Skidmore :

The President announced the following

MESSAGE FROM THE OTHER HOUSE:

HOUSE OF REPRESENTATIVES, }  
Lansing, January 5, 1861. }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following concurrent resolution :

*Resolved*, (the House concurring,) That the committee on printing of each House be authorized to act as a joint committee in procuring the translation and printing of the Governors' messages in the foreign languages;

In the passage of which the House have concurred by a majority vote of the all members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of House of Representatives.*

Which message was laid on the table.

On motion of Mr. DeLand, it was

*Resolved*, That the committee on printing be instructed to contract with the State stationer, or some other person or persons, for three hundred and fifty diagrams of the Senate Chamber, for the use of members and for the manual.

Mr. Carpenter introduced the following :

*Resolved*, (the House concurring,) That of each bill and joint resolution ordered printed, 400 copies be furnished for the use of the members of the Legislature.



Mr. Stout moved to amend by striking out 400 and inserting 200 ;

Which motion prevailed.

On motion of Mr. Stout,

The last vote was reconsidered.

Mr. DeLand moved to insert 300 instead of 200 ;

Which motion prevailed.

The resolution, as amended, was adopted.

Mr. Stout moved that when the Senate adjourn, it adjourn till Monday morning at 10 o'clock ;

Which motion prevailed.

The President announced the following

MESSAGE FROM THE OTHER HOUSE :

HOUSE OF REPRESENTATIVES, }  
Lansing, January 5, 1861. }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following concurrent resolution :

*Resolved*, (the House of Representatives concurring,) That a joint committee of two from the Senate and three from the House be appointed to investigate the Treasury department of this State, and the official acts of John McKinney, late State Treasurer, and that said committee have full power to send for persons and papers, and that they be requested to report thereon with such expedition as their duties will permit;

In the passage of which the House has concurred.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table.

The President announced, as the committee on the part of the Senate, under the resolution, Senators Baldwin and Jones.

On motion of Mr. Brown,

The Senate adjourned.

*Lansing, Monday, January 7, 1861.*

The Senate was called to order at 10 o'clock.

Prayer by Rev. Mr. Vibbert.

Roll called : a quorum present.

On motion of Mr. Withey,

Senator Ingersoll was granted leave of absence for one day.

Journal read and approved.

**PETITIONS PRESENTED.**

By Mr. Monroe : petition of Geo. G. Parkhurst, Esq., and 8 others, practicing attorneys of Branch county, praying that Branch county be set to the First Judicial District of the State ;

Referred to the committee on the judiciary.

Also,

Petition of Geo. A. Coe and 13 others, praying that chapter 125 of the compiled laws be so amended as to remove certain restrictions mentioned in said petition.

Referred to the committee on the judiciary.

By Mr. Wilder : petition of D. G. Slafter, asking that the name of Alonzo M. Baldwin, of Tuscola county, be changed to Morgan Baldwin Shafter.

Referred to the committee on State affairs.

By Mr. Jones : petition of Clifford Shanahan, to amend section 1 of act number 178 of the session laws of 1859, in reference to probate matters.

Referred to the committee on the judiciary.

**REPORTS OF STANDING COMMITTEES.**

Mr. Stout made the following report :

The committee on State affairs, to whom was referred

A bill to change the name of Clarissa Mellissa Wing to Clara Barnes ;

Also,

The petition of Samuel A. and Harriet Barnes, asking its passage ;

Beg leave to report that they have had the bill under consid-

eration, and return the same to the Senate with the recommendation that it do pass.

B. G. STOUT, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Tower introduced the following :

*Resolved*, By the Senate (the House concurring), That the Legislature of the State of Michigan take this method to express their admiration and hearty approval of the gallant conduct of Major Anderson at Fort Sumpter. When the strong arm of this government (the executive) has been vascillating and undecided, or giving aid and comfort to its enemies ; when treason is stalking over the land in broad daylight ; when mobs and traitors have seized the forts and arsenals, the property and very citadels of this government, and turned upon it its most powerful weapons of defense, and are gnawing at the vitals, and sapping the very foundation of this hitherto and yet glorious Republic, aided in its hellish work by a more wicked and unscrupulous party press, we rejoice to find, in the midst of fanaticism, disloyalty and treason, one true son of his country, with a handful of brave followers, who are determined to defend or perish by the flag of the *whole Union*. Our motto is, Liberty and Union, now and forever, one and inseparable.

Mr. Monroe moved to amend by striking out the word "hellish ;"

Which motion prevailed.

On motion of Mr. Deland,

The resolution was referred to the committee on federal relations.

On motion of Mr. Stout, it was

*Resolved*, That the committee on internal improvements be instructed to report to the Senate, whether any modification of the law providing for the payment of the board of control of

the Saut Ste. Marie Canal is necessary, and if so, to report by bill or otherwise.

Mr. Hazen gave notice that at some future time he would ask leave to introduce

A bill to amend section one of an act entitled an act to provide for the settlement and drainage of the swamp lands by actual settlers, session laws of 1859.

Mr. Hazen asked and obtained leave to introduce a

Joint resolution relative to secession ;

Which was read twice, and referred to the committee on federal relations.

Mr. French gave notice that at some future day he would ask leave to introduce

A bill to alter and amend act No. 164 of the session laws of 1857, being chapter 22 of compiled laws, relative to altering, laying out and discontinuing highways.

Mr. Withey, pursuant to notice, leave being granted, introduced

A bill to amend act No. 248 of the laws of 1859, entitled an act to regulate fire, marine, life and health insurance companies, and their agents, associations, partnerships and individuals, doing fire, marine, life and health insurance business, not incorporated by the State of Michigan ;

Which was read twice and referred to the committee on incorporations.

#### THIRD READING.

A bill to change the name of Clarissa Melissa Wing to Clara Barnes,

Coming up in the order of the third reading of bills,

Mr. Strickland moved to recommit the same to the committee on the judiciary ;

Which motion prevailed.

The President presented an official statement of the condition of the Detroit Savings Fund Institute, December 31, 1860 ;

Which was laid on the table.

On motion of Mr. Strickland,

The Senate adjourned.

*Lansing, Tuesday, January 8, 1861.*

Senate called to order by the President at 10 o'clock.

Prayer by the Rev. Mr. Gillet.

Roll called : quorum present.

Journal of yesterday read and approved.

Mr Adair announced the presence of Joseph Coulter, the Senator elect from the thirty-second district.

Joseph Coulter, the Senator elect from the thirty-second senatorial district, appeared, subscribed to the oath of office, was sworn by the President, and took his seat as Senator.

PRESENTATION OF PETITIONS.

By Mr. DeLand : petition of Nathaniel Morrill, and 123 other citizens of Jackson county, for repeal of the charter of the Jackson & Michigan Plank Road company ;

Referred to the committee on incorporations.

By Mr. Briggs: petition of G. Moyers and 19 others, citizens of Allegan county, asking the enactment of a law whereby organizations for educational, charitable, or religious purposes, may become incorporated ;

Referred to the committee on incorporations.

MESSAGES FROM THE OTHER HOUSE.

The President announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, January 7, 1861.* }

*To the President of the Senate :*

SIR :—I am instructed to return to the Senate the following concurrent resolution :

*Resolved*, (the House of Representatives concurring,) That the committee on printing be instructed to prepare and cause to be published, with all possible despatch, for the use of the two Houses of this and the next Legislature, a manual, containing the rules of each House, joint rules, constitutions of the United States and the State of Michigan, and such other matter as is usually contained in such work, or that they may deem proper.

In the passage of which the House has concurred by a majority vote of all the Members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

Also the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, January 7, 1861. }*

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following concurrent resolution :

*Resolved,* (the House concurring,) That of each bill and joint resolution ordered printed, three hundred copies be furnished for the use of the legislature ;

Which the House has amended by striking out “three hundred” and inserting “two hundred and forty ;”

In the passage of which, as amended, the House has concurred by a majority vote of all the members elect, and in the amendment thereto the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and

On motion of Mr. Brown,

The Senate concurred in the amendment of the House.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, January 7, 1861. }*

*To the President of the Senate:*

SIR:—I am instructed to inform the Senate that Representatives Joy, Gilbert and Brownell have been appointed, on the part of the House, the joint committee authorized by the concurrent resolution passed by the two Houses to investigate the

Treasury Department of the State, and the official acts of John McKinney, late State Treasurer.

Very respectfully,

ED. W. BARBER,

*Clerk of House of Representatives.*

The message was laid on the table.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Strickland, it was

*Resolved*, That the Judges of the Supreme Court be invited to seats within the bar of the Senate during the present session.

Mr. Carpenter gave notice that he would at some future time ask leave to introduce

A bill to repeal act No. 197 of the laws of 1859.

Mr. Withey gave notice that on some future day he would ask leave to introduce

A bill to authorize the sale, by the State Treasurer, of two thousand copies of the compiled laws of the State of Michigan.

Mr. Butterfield gave notice that on some future day he would ask leave to introduce

A bill for the relief of fractional school district No. 1 of the townships of Shelby and Sterling, in the county of Macomb ;

Also,

A bill to change the name of William Franklin Kelley to William Franklin Pierce.

Mr. Ingersoll gave notice that on some future day he would ask leave to introduce

A bill to extend the time for the collection of taxes in the city of East Saginaw.

On motion of Mr. Briggs, it was

*Resolved*, That the committee on State affairs be requested to report to the Senate what legislation, if any, is necessary to enforce the payment of moneys due from the several counties to the State, and that they report by bill or otherwise.

Mr. Tower gave notice that he would ask leave, on some future day, to introduce

A bill to improve the State Road from Greenville, in the county of Montcalm, to the village of Big Rapids, in the county of Mecosta.

Mr. Stout moved to take from the table the report of the committee on reference of subjects to which the attention of the legislature was called by the messages of the Governors ;

Which motion prevailed.

Mr. DeLand asked and obtained leave to withdraw his motion to amend said report.

Mr. Withey moved to amend the second sub-division by striking out the words "the committee on State affairs," and inserting "a special committee composed of two from each Congressional District and one for the State at large;"

Which motion prevailed.

Mr. Deland moved to amend the first recommendation of the third paragraph by striking out the same and inserting:

That so much as relates to the Saut Ste Marie Canal and loan, to the committee on finance;

That so much as relates to lands granted by Congress to aid in the construction of railroads and the subjects connected therewith, to the committee on internal improvements.

Mr. Ingersoll called for a division of the question.

The question being on the motion to strike out, the same prevailed.

Mr. Ingersoll moved to amend the amendment by striking out "internal improvement," and inserting "public lands;"

Which motion prevailed.

The motion to amend, as amended, prevailed.

Mr. Tower moved further to amend the report by adding thereto :

That so much of the Governors' messages as relates to the building of a new State Prison, be referred to a select committee of five;

Which motion was, after discussion, withdrawn.

The report, as amended and adopted, stands as follows :

1. That so much of Gov. Wisner's message as relates to a



Female College, so much as relates to a new State Capitol, also, so much as relates to the Gratiot relief fund, be referred to the committee on finance.

That so much as relates to the geological survey, and so much as relates to the encouragement of emigration and to the employment of an emigrant agency, be referred to the committee on State affairs.

That so much as relates to the Saut Ste Marie Canal and loan, to the committee on finance.

That so much as relates to the lands granted by Congress to aid in the construction of railroads and the subjects connected therewith, be referred to the committee on public lands.

That so much as relates to the subject of swamp lands and swamp land roads, be referred to the committee on public lands.

That so much as relates to the Muskegon river improvement, be referred to the committee on internal improvement.

2. That so much of Gov. Blair's message as relates to the apportionment of Senate and Congressional districts, be referred to a special committee composed of two from each Congressional District, and one for the State at large.

That so much as relates to the amendment of the registry law, be referred to the committee on elections.

That so much as relates to the amendment of the law for the assessment and collection of taxes, be referred to the committee, on the judiciary.

3. That so much of both messages as refers to the State debt, sinking fund, and appropriations, be referred to the committee on finance.

That so much as refers to the State Prison, be referred to the committee on State Prison.

That so much as relates to education, be referred to the committee on public instruction.

That so much as refers to the Agricultural College, be referred to the committee on agriculture.

That so much as relates to the School of Reform, be referred to a committee on the School of Reform.

That so much as relates to the Asylum for the Deaf, Dumb and Blind, be referred to the committee on Asylum for the Deaf, Dumb and Blind.

That so much as relates to the Asylum for the Insane, be referred to the committee on Asylum for the Insane.

That so much as relates to the militia and military, be referred to the committee on militia.

That so much as relates to the amendment of the banking law, be referred to the committee on incorporations.

That so much as relates to the Union, be referred to the committee on federal relations.

That so much as relates to the salt interests of the State, be referred to a select committee of three.

Mr. DeLand, unanimous consent being given, introduced a Joint resolution relative to the suit of this State against the Phoenix Bank, of the city of New York ;

Which was read twice and referred to the committee on the judiciary.

Mr. Tower, leave being granted, introduced

A bill to authorize the people of Gratiot and other new counties to work out the amount of their indebtedness to this State on the highways in said counties ;

Which was read twice, and referred to the committee on roads and bridges.

Mr. Stout gave notice that, on to-morrow he would ask leave to introduce

A bill to divide the State into congressional districts.

On motion of Mr. Ingersoll, it was

*Resolved*, That the committee on supplies and expenditures be authorized, and are hereby instructed, to procure two thermometers for the use of the Senate, and also to have the clock now in the Senate Chamber so repaired as to keep reliable time.

Mr. Baldwin introduced the following concurrent resolution :

*Resolved*, (the House concurring,) That as representatives of the people of Michigan, we feel a just pride that Michigan's eminent citizen, Gen. Cass, promptly and emphatically entered

his protest against the apparent determination of the administration to sacrifice the gallant Major Anderson, by resigning the office of Secretary of State under the present miserable administration of James Buchanan.

Mr. Lane moved to strike out the word "miserable."

Mr. DeLand moved to amend the amendment by inserting "imbecile."

Which amendment was accepted by the mover of the motion to amend by striking out, and the motion prevailed.

Mr. Ingersoll moved to amend by striking out the words "by resigning the office of Secretary of State;"

Which motion was withdrawn.

Mr. Green moved to amend by inserting immediately after the name of "Anderson," the words, "and his command ;"

Which was accepted by the mover of the resolution.

Mr. Williams moved to refer the resolution to the committee on federal relations.

Mr. Withey moved to lay the motion on the table ;

Which motion was negatived.

The motion to refer prevailed.

Mr. DeLand gave notice that on some future day he would ask leave to introduce

Joint resolution relative to the state of the Union ;

Also,

A bill to divide the State into six Congressional districts.

Mr. Strickland gave notice that on some future day he would ask leave to introduce

A bill to authorize the trial of criminal cases in justice court by six jurors.

Mr. French introduced the following concurrent resolution on secession :

*Whereas*, The State of South Carolina has, by solemn ordinance, declared herself sovereign and independent, and absolved from all allegiance to the Government and Constitution of the United States ; and

*Whereas*, The dangerous political heresy, that each or any

State of the Union have an inherent right to secede from the Union, whenever in their opinion their rights shall be violated, obtains to an alarming extent in various other States ; and

*Whereas*, The State of Michigan, always hitherto loyal to the government and faithful to the Constitution, can never consent to recognize the right of any State to secede ; therefore

*Resolved*, by the Senate, (the House concurring,) That the rights of the States, the Union of the States, and the liberties guaranteed by the Constitution, *must* and *shall* be preserved, and in the maintainance thereof, we pledge "our lives, our fortunes and our sacred honor."

*Resolved*, That the State of Michigan tender to the President the whole military force of the State to aid in enforcing obedience to the Constitution and laws of the United States.

On motion of Mr. Jones,

The resolution was referred to the committee on federal relations.

On motion of Mr. Tower,

The several petitions for an appropriation of swamp lands and money on a State road from Greenville, in the county of Montcalm, to Big Rapids, in the county of Mecosta,

Were taken from the table, and referred to the committee on roads and bridges.

On motion of Mr. Stout,

The Senate adjourned.

---

*Lansing, Wednesday, January 9, 1861.*

The President called the Senate to order at 10 o'clock.

Prayer by Rev. Mr. Armstrong.

Roll called : a quorum present.

On motion of Mr. Williams,

Further leave of absence was granted to Senator Backus.

On motion of Mr. Gale,

Leave of absence was granted to Senator Monroe for an indefinite period.

Journal read and approved.

The President announced the following special committees:

*On Senate and Congressional Districts*—Senators Near, Webb, Baker, Williams, Lacy, Green, Butterfield, Wilder and Coulter.

*Sal't Interest of the State*.—Senators Ingersoll, Owen and Withey.

#### PETITIONS PRESENTED.

By Mr. DeLand: petition of A. J. Freeman and 92 others, citizens of Jackson, Eaton and Ingham counties for the repeal of the charter of the Jackson and Michigan Plank Road Company;

Referred to the committee on incorporations.

By Mr. Carpenter: petition of D. S. Giles and 51 others, for a law to compel railroad companies to pay for cattle and other property destroyed by them upon any railroad or highway crossing within this State;

Referred to the committee on incorporations.

By Mr. Baldwin: petition of Anson Bangs for an amendment of section 8, act number 117 of session laws of 1859;

Referred to the committee on State affairs.

#### REPORTS OF STANDING COMMITTEES.

Mr. Ingersoll, of the committee on federal relations, made the following report:

The committee on Federal Relations, to whom was referred the petition of E. B. Ward, John Owen, Bridge, Lewis & Co., Walter Ingersoll, Edward Shepard, H. Hallock, and 95 other citizens and business firms of the city of Detroit, representing that the Provincial Government of Canada has practically violated the spirit of the "Reciprocity Treaty," so called, and asking the Legislature of this State to take such action as will be most likely to result in the amendment or abrogation of this Treaty, have had the same under consideration, together with the preamble and joint resolution upon said Reciprocity Treaty, also referred to the same committee, and would beg leave respectfully to report:

That the "Reciprocity Treaty," so called, concluded by the United States and the Government of Great Britain, on the 5th of June, 1854, has, in the opinion of your committee, through the legislative action of the Provincial Government, been practically violated in the spirit, if not the letter, of that instrument.

By reference to the schedule of articles enumerated in the third article of the treaty quoted below, which shall be admitted free of duty into the two countries, it will be seen that there can be no reciprocity under it so long as these articles *only* can be so admitted. This schedule appears to have been prepared with special reference to include *every article* of Canadian production, to the exclusion of every production of this country which could find a market in the British North American colonies. The surplus productions of these colonies consist almost exclusively of the very classes of articles embraced in the following schedule above alluded to :

"Grain, flour, and breadstuffs of all kinds ; animals of all kinds ; fish ; smoked and salted meats ; cotton ; wool ; seeds and vegetables ; undried fruits ; dried fruits ; fish of all kinds ; products of fish, and of all other creatures living in the water ; poultry ; eggs ; hides ; furs, skins or tails, undressed ; stone or marble, in its crude or unwrought state ; slate ; cheese ; lard ; tallow ; hams ; manures ; ores of metals of all kinds ; coal ; pitch ; tar ; turpentine ; ashes ; timber and lumber of all kinds, round, hewed and sawed, unmanufactured in whole or in part ; firewood ; plants, shrubs and trees ; pelts ; fish oil ; rice ; broom corn, and bark ; gypsum, ground or unground ; hewn or wrought or unwrought burr or grindstones ; dye stuffs ; flax, hemp and tow, unmanufactured ; unmanufactured tobacco ; rags."

While this treaty throws wide open the gates of our market to a prolific agriculture, lying at our very doors, it carefully excludes nearly every article of our domestic manufacture—our manufactures of iron, copper and brass—our cotton and woollen goods—our boots and shoes—our agricultural implements—our sugars and molasses—our manufactured tobacco ; in fact, almost every article manufactured among us. Nor is

this all for which we have just cause of complaint against our neighboring Provinces. From the following facts and figures, it would appear to have been the *intention* of the Canadian government, in concluding this treaty, to make the whole thing as one-sided as it was possible to do, by an *increase* of their duties on all of our productions not included in the schedule, almost immediately after the treaty took effect in March, 1855.

The following table exhibits the *ad valorem* duties that have been levied by her successive tariffs since the ratification of the treaty, upon certain articles which we largely produce, and which in times past we largely exported to that country :

	1855.	1856.	1857.	1858.	1859.
Boots and shoes,.....	12½	14½	20	21	25
Harness,.....	12½	17	20	21	25
Cotton goods,.....	12½	13½	15	15	20
Iron goods,.....	12½	18½	15	16	20
Wood goods,.....	12½	14	15	18	20
Molasses,.....	16	11	11	18	20
Refined sugar,.....	32	28	25	26½	40
Other sugar,.....	27½	20	17½	21	30
Manufactured tobacco.....	12½	..	..	..	30

Your committee would respectfully submit from the foregoing facts, that the treaty under consideration is anything but *reciprocal*; that instead of working for the mutual advantage of both countries, as was the original intention or pretense, its operations are made to inure almost exclusively to the benefit of the people of Canada, and to the great detriment and injury of the people of Michigan.

With the view, therefore, of having this treaty so amended as to make it *entirely reciprocal* or to have it *abrogated* altogether, your committee would respectfully report the accompanying preamble and joint resolutions back to the Senate, without amendment, and recommend the passage of the same.

All of which is respectfully submitted.

JOHN N. INGERSOLL, *Chairman.*

On motion of Mr. DeLand,

The report was accepted, the committee discharged from the further consideration of the subject, and the joint resolution ordered printed, referred to the committee of the whole and placed on the general order.

Mr. Williams made the following report:

The committee on incorporations, to whom was referred

A bill to amend an act entitled "an act to provide for the construction of train railways ;"

Also,

A bill to amend an act entitled "an act relative to plank roads," approved March 13, 1848 ;

Beg leave to report the same severally back to the Senate, without amendments, recommend the passage of the same, and ask to be discharged from a further consideration of the subject.

JOS. R. WILLIAMS, *Chairman.*

On motion of Mr. DeLand,

The report was accepted, the committee discharged, and the bills ordered printed, referred to the committee of the whole and placed on the general order.

Mr. Baldwin, from the committee on finance, reported

A bill to provide for the payment of members and officers of the Legislature for the year 1861 ;

Which bill was read twice, ordered printed, referred to the committee of the whole, and placed on the general order.

Mr. Carpenter made the following report :

The committee on Internal Improvements, in accordance with the requirements of a resolution instructing them to report to the Senate whether any modification of the law providing for the payment of the Board of Control of the Sant Ste. Marie Canal is necessary, and if so, to report by bill or otherwise,

Have had the same under consideration, and have instructed me to report a bill, recommend its passage, and ask to be discharged from the further consideration of the subject.

J. CARPENTER, *Chairman.*

The report was accepted, the committee discharged, and the



bill read twice, ordered printed, referred to the committee of the whole, and placed on the general order.

The President announced the following :

MESSAGES FROM THE OTHER HOUSE.

HOUSE OF REPRESENTATIVES, }  
*Lansing, January 8, 1861.* }

*To the President of the Senate :*

SIR:—I am instructed to transmit to the Senate the following entitled bill :

A bill to provide for the relief of school districts Nos. 1 and 2 of Machester, in the county of Washtenaw;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill read twice and referred to the committee on public instruction.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, January 8, 1861.* }

*To the President of the Senate :*

SIR:—I am instructed to transmit to the Senate the following bill :

A bill to extend the time for the collection of the taxes in the unorganized county of Delta;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked,

Very respectfully,

ED. W. BARBER,

*Clerk of House of Representatives.*

The message was laid on the table, and the bill read twice and referred to the committee on judiciary.

## MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. DeLand, it was

*Resolved*, That all bills for the division of the State into Congressional Districts be printed, and that a statement of each by counties with population annexed, by counties and totals, be printed with each bill.

On motion of Mr. Ingersoll, it was

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of empowering the Circuit Courts of this State to change the names of persons, and that they have leave to report by bill or otherwise.

Mr. Jones gave notice that on to-morrow, or on some future day, he would ask leave to introduce

A bill to divide the State into six or seven congressional districts.

Mr. Carpenter asked and obtained leave to introduce

A bill to repeal act No. 197, of the session laws of 1859, being an act entitled an act to restore certain sections of land to town six south of range five east, approved February 15, 1859 ;

Which bill was read twice, and referred to the committee on public lands.

Mr. Butterfield, leave being granted, introduced

A bill to change the name of William Franklin Kelley ;

Which was read twice, and referred to the committee on State affairs.

Mr. Tower, leave being granted, introduced

A bill for the improvement of the State road leading from Greenville, in the county of Montcalm, to Big Rapids, in the county of Mecosta ;

Which was read twice, and referred to the committee on roads and bridges.

Mr. Withey, leave being granted, introduced

A bill to amend sections 4339, 4340, 4341 and 4342 of the compiled laws, in relation to evidence ;

Which was read twice, and referred to the committee on the judiciary.

Mr. Ingersoll gave notice that on some future day he would ask leave to introduce

A bill to divide the State into congressional districts.

Mr. DeLand, leave being granted, introduced

Joint resolution respecting the state of the Union ;

Which was read twice and referred to the committee on federal relations.

Mr. DeLand, with leave, also introduced

A bill to divide the State into six congressional districts ;

Which was read twice, laid on the table and ordered printed.

Mr. DeLand gave notice that on some future day he would ask leave to introduce

A bill to amend act No. 200 of the session laws of 1859, being an act to encourage the manufacture of salt in the State of Michigan.

Mr. DeLand gave notice that on to-morrow, or some future day, he would ask leave to introduce

A bill to repeal the charter of the Jackson & Michigan Plank Road Co.

Mr. Carpenter gave notice that on some future day he would ask leave to introduce

A bill to amend section 4 of the act entitled an act to regulate marine, fire, and life insurance companies, and their agents, associations, partnerships, and individuals doing fire, marine, life, and health insurance business, not incorporated by the laws of the State of Michigan, approved February 15, 1859.

Mr. Withey asked and obtained unanimous consent to submit the following report :

The committee on the judiciary, to whom was referred

A bill to extend the time for the collection of taxes in the unorganized county of Delta,

Report that they have had the bill under consideration, and return the same without amendment, and recommend that it do pass.

S. L. WITHEY,

*Acting Chairman Committee on Judiciary.*

The report was accepted, the committee discharged from the further consideration of the subject, and

On motion of Mr. DeLand,

The rule requiring the second and third reading of bills to be on different days, was suspended and the bill was ordered to a third reading.

The order of business being suspended,

House bill, entitled

A bill to extend the time for the collection of taxes in the unorganized county of Delta,

Was read a third time and passed, by yeas and nays, as follows :

#### YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Mulholland,
Bailey,	French,	Near,
Baker,	Hazen,	Owen,
Baldwin,	Ingersoll,	Strickland,
Brown,	Jones,	Webb,
Butterfield,	Lacy,	Williams,
Carpenter,	Lane,	Withey,
Coulter,	McDermid,	23

#### NAYS.

Mr. Briggs,	Mr. Green,	Mr. Tower,
Gale,	Stout,	Wilder,
		6

The title was agreed to, and

On motion of Mr. Brown,

The bill was ordered to take immediate effect, by a vote of two-thirds of all the Senators elect.

Mr. Lane gave notice that at some future time he should ask leave to introduce

A bill allowing the heirs of an estate to settle the same without taking the matter before the Probate court.

Mr. Strickland gave notice that on some future day he would ask leave to introduce

A bill authorizing Esther Fletcher to convey certain real estate.

The President announced a message from the Governor ; whereupon,

On motion of Mr. Carpenter,  
The Senate went into executive session.  
The executive session closed, and  
The Senate adjourned.

---

*Lansing, Thursday, January 10, 1861.*

The President called the Senate to order at 10 o'clock.

Prayer by the Rev. Mr. Gillet.

Roll called : quorum present.

Journal read and approved.

PRESENTATION OF PETITIONS.

By Mr. Near: petition of Peter Delong, of the county of Wayne, and 68 others, praying for the passage of a law prohibiting individuals from placing nets or other obstructions in the mouths of rivers and other streams so as to prevent fish from running up said streams;

Referred to the committee on State affairs.

REPORTS OF STANDING COMMITTEES.

Mr. Williams made the following report:

The committee on incorporations, to whom was referred

A bill to amend an act entitled "an act to provide for the incorporation of railroad companies," approved February 12, 1855 ;

Beg leave to report the same back to the Senate without amendments, recommend the passage of the same, and ask to be discharged from further consideration of the subject.

JOS. R. WILLIAMS, *Chairman.*

The report was accepted, the committee discharged from the further consideration of the subject, and the bill referred to the committee of the whole and placed on the general order.

Mr. Withey made the following report :

The committee on public instruction, to whom was referred

A bill to provide for the relief of school district Nos. 1 and 2, of Manchester, in the county of Washtenaw,

Report that they have had said bill under consideration, and return the same to the Senate without amendment, and recommend that it do pass.

S. L. WITHEY, *Acting Chairman.*

The report was accepted, the committee discharged from the further consideration of the subject, and the bill ordered to a third reading.

Mr. Withey also made the following report :

The judiciary committee, to whom was referred

A bill to amend sections 4339, 4340, 4341, 4342 of the compiled laws,

Report that they have had the bill under consideration, and return the same to the Senate, and recommend that said bill be laid on the table and be printed.

S. L. WITHEY,

*Acting Chairman on Judiciary.*

The report was accepted, the committee discharged, and the bill laid on the table and ordered printed.

Mr. Withey also made the following report :

The judiciary committee, to whom was referred the

Joint resolution respecting the suit of the State of Michigan against the Phoenix Bank of the city of New York,

Report that they have had the resolution under consideration, and return the same to the Senate, and recommend that it do pass.

S. L. WITHEY,

*Acting Chairman Committee on Judiciary.*

The report was accepted, the committee discharged, and the joint resolution ordered to a third reading.

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Stout, pursuant to previous notice, leave being granted, introduced

A bill to divide the State into congressional districts ;

Which bill was read twice, laid on the table, and ordered printed.

Mr. Gale, leave being granted, introduced

A bill to amend an act entitled an act disposing of certain grants of land made to the State of Michigan, for railroad purposes, by an act of Congress, approved June 3, 1856 ;

Which was read twice, ordered printed, and referred to the committee on public lands.

Mr. DeLand, leave being granted, introduced

A bill to amend act. No. 200, of the session laws of 1859, being an act to encourage the manufacture of salt in the State of Michigan, approved February 15, 1859 ;

Which bill was read twice, laid on the table, and ordered printed.

Mr. DeLand, leave being granted, introduced

A bill to repeal the charter of the Jackson and Michigan Plank Road company ;

Which was read twice, laid on the table, and ordered printed.

Mr. Withey moved that the special committee, to which was referred the subject of the division of the State into congressional districts, be discharged ;

Which motion was withdrawn.

Mr. Ingersoll introduced the following concurrent resolution:

*Resolved*, (the House concurring,) That the committees of the Senate and House of Representatives on the State Prison, be empowered to act as a joint committee, and that they have leave to visit the State prison, examine the same in all its parts, and report to the Senate and House any change they may deem necessary to be made in the mechanical departments, or otherwise, and the amount necessary to be appropriated for the use and support or improvement of said prison for the next two years.

The resolution was laid on the table.

Mr. Withey introduced the following:

*Resolved*, That the Secretary of the Senate be authorized to appoint a messenger for his service during the session.

Mr. DeLand offered the following as a substitute:

*Resolved*, That one of the messengers of the Senate be placed

under the direction and control of the Secretary of the Senate during such portion of the time as the Secretary may require.

Which substitute was adopted.

The resolution, as amended, was adopted.

By unanimous consent, the President announced the following

MESSAGE FROM THE OTHER HOUSE:

HOUSE OF REPRESENTATIVES,  
*Lansing, January 10, 1861.* }

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following entitled bill:

A bill to extend the time for the collection and return of taxes in the unorganized territory in Manitou county,

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill read twice and referred to the committee on the judiciary.

On motion of Mr. Ingersoll,

The Senate went into executive session.

The executive session closed.

Mr. Stout gave notice that on some future day he would ask leave to introduce a

Joint resolution providing for an amendment of the constitution so as to empower the Governor to remove from office, in certain cases, defaulting public officers.

Mr. Wilder gave notice that on some future day he would ask leave to introduce

A bill changing the name of Alonzo M. Baldwin to Morgan Baldwin Slafter.



•  
THIRD READING.

Senate joint resolution, entitled

Joint resolution relative to the suit of this State against the  
Phoenix Bank of the city of New York,Was read a third time and passed, by a majority of all the  
Senators elect, as follows :

## YEAS.

Mr. Adair,	Mr. French,	Mr. Mulholland,
Bailey,	Gale,	Near,
Baker,	Green,	Owen,
Baldwin,	Hazen,	Stout,
Briggs,	Ingersoll,	Strickland,
Brown,	Jones,	Webb,
Butterfield,	Lacy,	Wilder,
Carpenter,	Lane,	Williams,
Coulter,	McDermid,	Withey,
DeLand,		

28

## NAYS.

0

The title was agreed to.

House bill, entitled

A bill to provide for the relief of school districts Nos. 1 and  
3, of Manchester, in the county of Washtenaw,Was read a third time and passed, by a majority of all the  
Senators elect, as follows :

## YEAS.

Mr. Adair,	Mr. French,	Mr. Mulholland,
Bailey,	Gale,	Near,
Baker,	Green,	Owen,
Baldwin,	Hazen,	Stout,
Briggs,	Ingersoll,	Strickland,
Brown,	Jones,	Webb,
Butterfield,	Lacy,	Wilder,
Carpenter,	Lane,	Williams,
Coulter,	McDermid,	Withey,
De Land,		

28

## NAYS.

0

The title was agreed to, and the bill ordered to take immedi-  
ate effect, by a vote of two-thirds of all the Senators elect.

On motion of Mr. Strickland,

The Senate adjourned.

*Lansing, Friday, January 11, 1861.*

The President called the Senate to order at 10 o'clock.

Prayer by the Rev. Mr. Armstrong.

Roll called : quorum present.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to amend sections 7, 13 and 21, chapter 12, of the revised statutes, being sections 154, 160 and 173 of the compiled laws ;

Also,

A bill to repeal act No. 29, of the session laws of 1859,

Beg leave to report that they have had the same under consideration, and herewith return them to the Senate without amendment, and recommend that they do pass, and ask to be discharged from the further consideration thereof.

All of which is respectfully submitted,

B. G. STOUT, *Chairman.*

The report was accepted, the committee discharged, the first named bill ordered printed, referred to the committee of the whole and placed on the general order, and the last named bill ordered to a third reading.

By the committee on public instruction :

The committee on public instruction, to whom was referred

A bill to amend section 2033 of the compiled laws, relative to gifts and bequests to religious societies,

Report that they have had the same under consideration, and return the same to the Senate without amendment, and recommend that the bill be laid on the table and printed.

S. L. WITHEY, *Chairman.*

The report was accepted, the committee discharged and the bill laid on the table and ordered printed.

By the committee on public lands :

The committee on public lands, to whom was referred

A bill to repeal act No. 197, of the session laws of 1859, being an act entitled an act to restore certain sections of land to town six south of range five east, approved February 15, 1859,

Report that they have had said bill under consideration, and return the same to the Senate without amendment, and recommend that it do pass.

**EZRA HAZEN**, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

COMMUNICATIONS FROM STATE OFFICERS.

The President announced the following :

OFFICE OF SUP'T OF PUBLIC INSTRUCTION, }  
Lansing, January 11, 1861.

*To the Hon. JAMES BIRNEY, President of the Senate:*

DEAR SIR:—The State Printers being prevented by the pressure of other work from completing the work on my annual report, and the information contained therein being important for the use of the Legislature, I have caused copies of the same, as far as printed, to be laid on the tables of the Honorable Senators. I write this to explain the reason of the imperfect state of those copies.

Yours respectfully,

J. M. GREGORY,

*Sup't of Public Instruction.*

The communication was laid on the table.

MESSAGE FROM THE OTHER HOUSE:

The President announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, January 10, 1861.

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following bill, entitled

A bill to facilitate the commencement of suits against joint defendants residing in several counties ;

Which has passed the House by a majority vote of all the

members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill read twice and referred to the committee on the judiciary.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, January 10, 1861. }

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following entitled bill:

A bill to provide for the restoration of lost records, papers, or other proceedings, in courts of record;

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of House of Representatives.*

The message was laid on the table, and the bill read twice and referred to the committee on the judiciary.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Ingersoll,

The following concurrent resolution was taken from the table:

*Resolved*, (the House concurring,) That the committees of the Senate and House of Representatives on the State Prison, be empowered to act as a joint committee, and that they have leave to visit the State Prison, examine the same in all its parts, and report to the Senate and House any change they may deem necessary to be made in the mechanical departments, or otherwise, and the amount necessary to be appropriated for the use and support or improvement of said prison for the next two years;

Which resolution was adopted by the following vote, Mr. DeLand calling for the yeas and nays :

## YEAS.

Mr. Bailey,	Mr. DeLand,	Mr. McDermid,	
Baker,	French,	Stout,	
Baldwin,	Green,	Strickland,	
Briggs,	Hazen,	Tower,	
Brown,	Ingersoll,	Webb,	
Butterfield,	Jones,	Wilder,	
Carpenter,	Lacy,	Withey,	21

## NAYS.

Mr. Adair,	Mr. Lane,	Mr. Williams,	
Coulter,	Owen,		5

On motion of Mr. Stout, it was

*Resolved*, That the committee on judiciary be instructed to report to the Senate whether any modification of act No. 189, of the session laws of 1859, is necessary in order more fully to define the duties of Judges of Probate.

## THIRD READING.

Senate bill, entitled

A bill to repeal act No. 197 of the session laws of 1859, being an act entitled "an act to restore certain sections of land to town six south of range five east," approved February 15, 1859,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays as follows :

## YEAS.

Mr. Adair,	Mr. French,	Mr. Mulholland,	
Bailey,	Gale,	Near,	
Baker,	Galloway,	Owen,	
Baldwin,	Green,	Stout,	
Briggs,	Hazen,	Strickland,	
Brown,	Ingersoll,	Tower,	
Butterfield,	Jones,	Webb,	
Carpenter,	Lacy,	Wilder,	
Coulter,	Lane,	Williams,	
DeLand,	McDermid,	Withey,	30

## NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all the Senators elect.

Senate bill, entitled

A bill to repeal act No. 29 of the session laws of 1859,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays as follows:

#### YEAS.

Mr. Adair,  
Bailey,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,  
Coulter,  
De Land,

Mr. Gale,  
Green,  
Hazen,  
Ingersoll,  
Jones,  
Lacy,  
Lane,  
McDermid,  
Mulholland,

Mr. Near,  
Owen,  
Stout,  
Strickland,  
Tower,  
Webb,  
Wilder,  
Williams,  
Withey,

29

#### NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect, by a vote of two-thirds of all the Senators elect.

#### GENERAL ORDER.

On motion of Mr. Stout,

The Senate went into committee of the whole, for the consideration of the general order, the President calling Mr. Stout to the chair.

After some time spent in committee of the whole, the committee rose, and, through the chairman, reported to the Senate that the committee had had under consideration

Senate bill No. 2, being

A bill to amend section 2581 of the compiled laws, being section 4 of an act entitled an act to provide for the collection of tolls, and for the care and charge of the St. Mary's Falls Ship Canal, approved February 12, 1855;

Which the committee had amended by striking out section 2;

Also, Senate bill No. 1, being

A bill to amend an act entitled an act to provide for the incorporation of railroad companies, approved February 12, 1855;

Which the committee had amended by striking out section 2;

Also, Senate bill No. 5, being

A bill to amend an act entitled an act relative to plank roads, approved March 13, 1848;

Which the committee had amended by striking out section 2;

Also, Senate bill No. 3, being

A bill to amend an act entitled "an act to provide for the construction of train railways ;"

Which the committee had amended by inserting the following as section 1:

Section 1. *The People of the State of Michigan enact*, That the act entitled an act to provide for the construction of train railways, approved February thirteenth, eighteen hundred and fifty-five, be amended by adding three new sections thereto, to be numbered thirty-three, thirty-four and thirty-five.

Also, Senate joint resolution No. 1, being

Joint resolution relative to the reciprocity treaty of June 5, 1854;

To which the committee had made no amendment;

Also, Senate bill No. 6, being

A bill to provide for the payment of members and officers of the Legislature of 1861;

Which the committee had amended by inserting, in the 13th line, immediately after the word "assistants," the words "and the messengers of the Senate, and House of Representatives;" also, by striking out section 4;

In all which amendments the committee asked the concurrence of the Senate.

The Senate concurred in the amendments in gross.

The Senate then adjourned

---

*Lansing, Saturday, January 12, 1861.*

Senate called to order by the President at 10 o'clock.

Prayer by the Rev. Mr. Gillet.

Roll called : quorum present.

Journal read and approved.

On motion of Mr. Williams,

Further leave of absence was granted to Senator Backus.

On motion of Mr. Stout,

Leave of absence was granted to Senators Baldwin and Tower.

On motion of Mr. Carpenter,

Leave of absence was granted to Senator Baker.

#### PETITIONS PRESENTED.

By Mr. Strickland : petition of Henry Smith, praying for the changing of the boundaries of certain counties;

Referred to the committee on division of towns and counties.

By Mr. Butterfield : petition of William Summers, J. N. Manning, and 66 others, praying for relief for fractional school district 1, of the townships of Shelby and Sterling, in the county of Macomb;

Referred to the committee on public instruction.

By Mr. Carpenter : petition of Seymour Barrett, W. W. Goff, and 160 others, for the passage of a law to authorize sheriffs to contract and hire out the labor of those persons confined in the county jails whose offences are such as not to subject them to the State prison penalty;

Referred to the committee on judiciary.

By Mr. Coulter : petition from the board of supervisors of the county of Houghton, for a settlement of the specific taxes due said county, and other purposes;

Referred to the committee on finance.

By Mr. DeLand : the remonstrance of Marvin Dorrill and 45 others, citizens of Jackson and Ingham counties, against the repeal of the charter of the Jackson and Michigan Plank Road company;

Referred to the committee on incorporations.

By Mr. Withey : petition of E. G. D. Holden and 58 others, to amend an act to regulate fire, marine, life and health insurance companies, and their agents, associations, partnerships and in-



dividuals, doing fire, marine, life and health insurance business, not incorporated by the State of Michigan;

Referred to the committee on incorporations.

#### REPORTS OF STANDING COMMITTEES.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to change the name of William Franklin Kelley to William Franklin Pierce,

Respectfully report that they have had the same under consideration, and return the same to the Senate with the recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

BYRON G. STOUT, *Chairman.*

The report was accepted, the committee discharged, and the bill laid on the table.

The President announced a special message from the retiring Governor, relative to pardons,

Which was received and laid on the table.

#### MESSAGES FROM THE OTHER HOUSE.

The President announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, January 11, 1861. }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following concurrent resolution :

*Resolved*, (the House concurring,) That the committee of the Senate and House of Representatives on the State Prison, be empowered to act as a joint committee, and that they have leave to visit the State Prison, examine the same in all its parts, and report to the Senate and House any change they may deem necessary to be made in the mechanical departments, or otherwise, and the amount necessary to be appropriated for the use and support or improvement of said prison for the next two years;

In the passage of which, the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

Which message was laid on the table.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, January 11, 1861.* }

*To the President of the Senate :*

I am instructed to transmit the following bill, entitled

A bill to amend section 44, of chapter 65, of the revised statutes of 1846 (compiled laws, vol. 2, sec. 2763) ;

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

Which bill was read twice, and referred to the committee on judiciary.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, January 11, 1861.* }

*To the President of the Senate :*

SIR:—I am instructed by the House to transmit the following joint resolution, entitled a

Joint resolution for the relief of Robert W. Cummings,

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

Which joint resolution was read twice and referred to the committee on public lands.

## MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Stout,

Senate bill No. 7, being

A bill to divide the State into congressional districts,

Was taken from the table and amended by inserting after the word "Ontonagon," in line 22, the word "Marquette."

The bill was then laid on the table.

Mr. Ingersoll gave notice that on some future day he would ask leave to introduce

A bill to appropriate certain swamp lands in aid of the construction of a State road from the city of Owosso, in Shiawassee county, to Midland city, in the county of Midland.

Mr. Coulter gave notice that on some future day he would ask leave to introduce

A bill requiring mining companies to file with the county treasurer in the counties in which they are doing business, a list of the stockholders, and amount of indebtedness ;

Also,

A bill to amend an act entitled an act to provide for the drainage and reclamation of swamp lands by means of State roads and ditches, approved February 12, 1859.

Mr. Bailey introduced the following :

*Resolved*, That the Sergeant-at-Arms be requested to ascertain, if possible, what disposition has been made of the maps belonging to the Senate, and also various articles of furniture which have disappeared from the committee rooms, and from the Senate chamber previous to the commencement of this session, and to restore the same, if found, to their proper places ;

Which was adopted.

On motion of Mr. DeLand,

Senate bill No. 9, being

A bill to repeal the charter of the Jackson & Michigan Plank Road Co.,

Was taken from the table, and referred to the committee on incorporations.

Mr. Ingersoll moved to take from the table, Senate bill No. 8. being

A bill to amend act No. 200 of the session laws of 1859, being an act to encourage the manufacture of salt in the State of Michigan, approved Feb. 15, 1859,

Refer the same to the select committee on salt interest ;

Which was not adopted.

Mr. French gave notice that on some future day he would ask leave to introduce

A bill to provide a treasury system for the State of Michigan, for the manner of receiving, holding and disbursing the public moneys of the State, and for the safe keeping of the same ;

Also,

A bill to exempt from execution and sale certain property therein named ;

Also,

A bill to amend an act entitled an act to provide against the recovery of damages done by beasts on lands not enclosed by a lawful fence, approved March 17, 1847, being sec. 628, of the compiled laws.

Mr. Stout, leave being granted, introduced

A joint resolution to provide for an amendment to the constitution relative to removals from office ;

Which was read twice and referred to the committee on judiciary.

Mr. Gale introduced the following:

*Resolved*, That the committee of the Senate on the Asylum for the Deaf, Dumb and Blind, have leave to visit said Asylum and investigate the same, and report to the Senate its present condition and its wants and necessities for the next two years.

Mr. Carpenter asked and obtained leave to introduce

A bill to amend an act entitled an act to authorize proceedings against garnishees, and for other purposes, approved March 28, 1849—chapter 141, compiled laws ;

Which bill was read twice, and referred to the committee on judiciary.

Mr. Brown introduced the following :

*Resolved*, (the House concurring,) That the committees of Senate and House of Representatives on the Asylum for the Insane, be empowered to act as a joint committee, and that they have leave to visit said Asylum, examine the same in all its parts, that they may report understandingly to their respective Houses, upon the management and necessities of said Institution ;

Which was adopted.

By unanimous consent the judiciary committee submitted the following report :

The judiciary committee, to whom was referred the petitions of citizens of the towns of Brownstown and Romulus, of the county of Wayne, for the passage of a law extending the time for collecting of certain drain and ditch tax,

Respectfully report that they have had the same under consideration, and herewith return said petitions, together with a bill, in accordance with the prayer of the petitioners, and recommend that said bill do pass, and ask to be discharged from the further consideration of the subject.

S. L. WITHEY,

*Chairman Committee on Judiciary.*

The bill being

A bill to extend the time for the collection of drain and ditch tax in the townships of Brownstown and Romulus, in the county of Wayne ;

Was read a first and second time, ordered printed, placed on the general order, and referred to the committee of the whole.

Mr. Jones gave notice that on some future day he would ask leave to introduce

A bill to authorize justices of the peace to render judgments for, and receive and dispose of costs, in certain criminal cases, and providing compensation to said justices therefor.

Mr. Stout, pursuant to previous notice, introduced

A bill to provide for the payment of the indebtedness of the State ;

Which bill was read twice, laid on the table and ordered printed.

UNFINISHED BUSINESS.

The Senate took up the unfinished business of the preceding day, as follows:

Senate joint resolution relative to the reciprocity treaty of June 5, 1859,

Was placed on the order of third reading.

A bill to amend an act to provide for the construction of train railways,

Was referred to the committee on engrossment and enrollment.

A bill to amend section 2581 of the compiled laws, being sec. 4 of an act entitled an act to provide for the collection of tolls, and for the care, charge and operating of the St. Mary's Falls ship canal, approved Feb. 12, 1855,

Was placed on the order of third reading.

A bill to amend an act entitled "an act to provide for the incorporation of railroad companies," approved February 12, 1855,

Was placed on the order of third reading.

A bill to amend an act entitled "an act relative to plank roads," approved March 13, 1848,

Was placed on the order of third reading.

A bill to provide for the payment of members and officers of the Legislature,

Was referred to the committee on enrollment and engrossment.

The Senate then adjourned.

---

*Lansing, Monday, January 14, 1861.*

Senate called to order by the President at 10 o'clock.

Prayer by Rev. Mr. Meyer.

Roll called: quorum present.

Journal read and approved.

On motion of Mr. Gale,

Senator Strickland was granted leave of absence for one day.

PETITIONS PRESENTED.

By Mr. DeLand : petition of Benj. Porter and 49 other citizens of the city of Jackson for the repeal of the charter of the Jackson & Michigan Plank Road Company ;

Also,

Affidavits of Nathaniel Morrill and 59 other citizens, property owners on the line, and in the vicinity of the Jackson & Michigan Plank Road, showing sundry violations of its charter.

Referred to the committee on incorporations.

The President presented the petition of Joseph Barrow, of Wayne county, against any change of road laws.

Referred to the committee on roads and bridges.

REPORTS OF STANDING COMMITTEES.

Mr. Ingersoll, for a majority of the committee on federal relations, submitted the following report, which was accepted and ordered printed in the journal:

The committee on federal relations, to whom was referred portions of the Governors' messages relating to the state of the Union, and sundry concurrent and joint resolutions submitted to the Senate, have had the same under consideration, and beg leave respectfully to submit the following majority report:

Your committee have approached the matters referred to them in a spirit of that devout love and veneration for the Constitution and government of the Federal Union, which has ever characterized the people of Michigan. No State in the bright galaxy which compose our common country, has derived more benefits as a people, or has greater cause to revere this system of government, so framed by the sagacity of our early statesmen as to leave to every State its own social and political individuality, and yet unite the whole in one grand confederation, having a common diplomacy, a common system of customs, a common coinage, and a common power of defence from domestic violence or external aggression, though differing widely from

each other, not merely in geographical position and natural productions, but in social structure and industrial pursuits. An experience of seventy-five years under the operations of our Constitution have wedded us to this practical system of government, and proves that nothing but this wise combination of Federal and State unity which the genius of its founders devised, and which their successors have faithfully developed, could have given free play to such an endless variety of popular characteristics, and at the same time welded together into one consistent whole such a multiplicity of different and sometimes conflicting interests. This benefit has been co-equal and co-extensive with the country; and yet, at a time of profound national prosperity, when the progress of the United States of America has exceeded the most extravagant anticipations, portions of the confederacy, for real or fancied grievances, after vaunting threats for more than a quarter of a century, have met in conventions, under the sanctity of State authorities, and solemnly declared themselves independent powers, no longer owing allegiance to the government of the United States. Your committee need not at this period discuss the cause of this rebellious conduct, nor would it be fitting the dignity of a proud and loyal State to proffer explanations to a sisterhood that has taken up arms and is now in actual warfare with our common government. While we should ever be willing to conciliate a complaining section of our country, it is not for Michigan to compromise her principles or her honor in any amicable appeal to traitors or rebels, or *any*, other than such as the dignity of outraged law requires. To the union-loving members of the confederacy, however, the Peninsular State should address herself in terms of fraternal regard, as due to their valor and unswerving patriotism in resisting the seductive appeals of those who seek their estrangement and court their power as allies in this perfidious rebellion. Admiring the loyalty and firmness of the union-loving citizens and Representatives of Delaware, Maryland, Virginia, Kentucky, Tennessee, Missouri and North Carolina, who are foremost in resisting secession, we should



particularly regard those States with that full consideration which their patriotism and self-sacrificing devotion demands. In the present exigency, Michigan can well be magnanimous, without any surrender of important right, or sacrifice of vital principle. The mere pride of opinion is base selfishness, where a fatal embarrassment of devoted friends is the issue, and utter estrangement is the deplorable result.

In this light alone, your committee have acted—under the solemn impression that Michigan has no desire to impair any constitutional right of a sister State, and that, while she would throw around every citizen of her commonwealth the strongest guarantees of protection and defense, she has no disposition to refrain from the immediate modification of any law upon her statute book that may be found to conflict with the constitution of the United States, or any law of Congress in pursuance thereof.

With the expression of these brief views, a majority of your committee would therefore beg leave to report the accompanying resolutions back to the Senate, and respectfully submit the following as a substitute therefor, and recommend their adoption, as common ground on which every citizen of Michigan, and all parties in the North, may stand firmly and united, without the sacrifice of a single principle or political right.

JOHN N. INGERSOLL, *Chairman*.

#### JOINT RESOLUTIONS on the State of the Union.

*Whereas*, The acts of evil and misguided men, who are seeking to destroy this government, as well as the noble efforts of patriotic citizens, who are striving faithfully to avert such a wicked and calamitous issue, alike render it proper for the State of Michigan to express her views upon this crisis, and to place upon record the position which she occupies as a State of this Union; therefore

1. *Resolved by the Senate and House of Representatives of the State of Michigan*, That the Constitution of the United States, and all laws of Congress in pursuance thereof, are supreme in authority, and ought to be obeyed.

2. *Resolved*, That the Union provided for by that Constitution was designed to be perpetual, and to secure the blessings of liberty to the people of these United States forever.

3. *Resolved*, That no change in the relation of any State or portion of the country to the whole Union can be made, or ought to be acquiesced in, except such changes as may be sanctioned under the Constitution, or amendments made as provided therein; and that all attempts to disturb the peace or integrity of the Union, in violation of that sacred charter of our liberties, are treasonable, and should not be tolerated.

4. *Resolved*, That no State can absolve its citizens from the allegiance which they owe to the United States, and that every attempt by violence to obstruct the exercise of the powers entrusted to the United States, or to seize the forts, arsenals, or other property of the United States, under pretence of State authority, with the design of interfering with the sovereign authority of the Union, is an act of rebellion, and should be resisted and suppressed.

5. *Resolved*, That we do hereby pledge the power and resources of the State of Michigan to aid the United States in the maintenance of the integrity of the Government, and the upholding of its authority, against every attempt to subvert it.

6. *Resolved*, That we extend our cordial sympathy and thanks to the noble and patriotic men in civil or military stations, or as private citizens, who have manfully resisted the threats and seductions of those who have endeavored to destroy this glorious Union, which is our common heritage, and that we will aid them in upholding it for them and for their children.

7. *Resolved*, That we desire cheerfully and in good faith to respect and obey every provision of the constitution of the United States in its integrity; that we have never intended or desired, by any legislation upon our statute books, and do not now intend or desire to impede or in any way interfere with the faithful execution of any clause in the constitution, or any law of Congress in pursuance thereof; that we will carefully examine into our laws, and if there be any which interfere with the

duty which we owe to other States or the citizens thereof in any particular, we will reform the same; as we desire to be lacking in no duty, and to share with all the law-abiding people of this land the friendly feeling and sympathy which will best cement the Union and advance the prosperity of our common country.

8. *Resolved*, That the Governor be requested to transmit authenticated copies of these resolutions to our Senators and Representatives in Congress, and to the Governors of the several States of this Union.

Mr. Williams offered the following

MINORITY REPORT :

The subscriber, minority of the committee on federal relations, to whom was referred so much of the messages of Governors Wisner and Blair as refer to the Union, and sundry resolutions on the same subject, respectfully report the accompanying joint resolutions upon the present crisis.

JOSEPH R. WILLIAMS.

JOINT RESOLUTIONS on the Present Crisis.

*Whereas*, A momentous crisis has arisen in our national history, and citizens of several of the States of the Union have appealed to the right of revolution for the redress of assumed grievances, and by ordinances of secession, by the seizure of national forts, arsenals, public buildings and vessels, and by other hostile acts, have committed treason, and have declared war, therefore

*Resolved by the Senate and House of Representatives of the State of Michigan*, That argument is at an end, and action has become our duty.

*Resolved*, That the Constitution of the United States, and the laws of Congress made in pursuance thereof, are supreme and, ought to be executed and obeyed.

*Resolved*, That the Governor of the State of Michigan is hereby authorized to tender to the President of the United States, the military force of the State, to aid in the execution of the laws, and maintaining the integrity of the Constitution.

*Resolved*, That there is no method for a State to escape her obligations to the Constitution, except by and through an amendment to that time-hallowed instrument.

*Resolved*, That Michigan remains immovable in her attachment to those great convictions and truths, which she has repeatedly declared through the ballot-box, and regards them as vital to humanity and civilization.

*Resolved*, That Michigan is now, as she always has been, entirely loyal to the great charter of our liberties, which has secured to a great and powerful nation, so large a measure of prosperity at home, and renown abroad, and in order to live in harmony under the same common flag, is prepared to make every sacrifice except self-respect, honor, justice, and our noble form of government itself.

*Resolved*, That the Governor be requested to transmit authenticated copies of these resolutions to the President of the United States, to our Senators and Representatives in Congress, and to the Governors' of the several States.

Which resolutions were read a first and second time, laid on the table, and ordered printed.

Mr. Briggs, from the committee on enrollment and engrossment, presented the following :

The committee on enrolled bills, to whom was referred

A bill to amend an act to provide for the construction of train railways ;

Also,

A bill to provide for the payment of members and officers of the Legislature ;

Beg leave to report that they have had the said bills under consideration, and find them correctly engrossed, and ask to be discharged from the further consideration of the subject.

H. C. BRIGGS, *Chairman*.

Report accepted, committee discharged, and bills placed on the order of third reading.

The committee on enrollment and engrossment, reported the appointment of John Phillips as assistant enrolling clerk.

On motion of Mr. Briggs, he was duly sworn into office as assistant enrolling and engrossing clerk for the present session.

Mr. Withey presented the following :

The committee on public instruction, to whom was referred the petition of Wm. Summers and 67 others, praying for relief for fractional school district number 1, of the townships of Shelby and Sterling, in the county of Macomb, report :

That they have had said petition under consideration, and return the same to the Senate, together with a bill, and recommend that the prayer of the petitioners be granted.

S. L. WITHEY,

*Chairman Committee on Public Instruction.*

Report accepted and committee discharged, and the bill placed on the order for third reading.

NOTIONS, RESOLUTIONS AND NOTICES.

Mr. Withey gave notice that on some future day he would ask leave to introduce

A bill to quiet title in the county of Kent.

Mr. Wilder gave notice that on some future day he would ask leave to introduce

A bill making an appropriation of swamp land for the improvement of the State road from Port Sanilac, in Sanilac county, to the southern terminus of the Bay City and Tuscola Plank Road, in Saginaw county.

Mr. DeLand gave notice that on to-morrow, or some future day, he would ask leave to introduce

A bill to amend act No. 104, of session laws of 1859, amending section 8, of chapter 38, of title 9, of the revised statutes of 1846, relative to the support of poor persons by the public, comp. laws, sec. 1439);

Also,

A bill to amend section 44, of chapter 12, of the revised statutes of 1846, (comp. laws, sec. 205.)

Mr. Bailey gave notice that on some future day he would ask leave to introduce

A bill to divide the State into six congressional districts.

On motion of Mr. Near,

Senate bill No. 14, being

A bill to extend the time for collecting the drain and ditch tax in the townships of Brownstown and Romulus, in the county of Wayne,

Was taken out of the general order and placed on the order of third reading of bills.

Mr. Gale gave notice that on some future day he would ask leave to introduce

A bill to amend section 1014 of compiled laws, relative to the time of assessing highway labor.

On motion of Withey,

Senate bill No. 8, being

A bill to amend act No. 200 of the session laws of 1859, being an act to encourage the manufacture of salt in the State of Michigan,

Was taken from the table and referred to the select committee on salt interests.

Mr. Ingersoll moved that the reports from the committee on federal relations, submitted this morning, be made the special order for Wednesday, at 2 o'clock P. M.

Mr. Williams moved to amend by striking out "Wednesday" and inserting "Tuesday".

The amendment did not prevail.

The original motion was then adopted.

By unanimous consent, Mr. Hazen introduced

A bill to extend the time for the collection of taxes in the townships of Clay, Kimball and Riley, in the county of St. Clair ;.

Which was read twice, and referred to the committee on the judiciary.

Mr. Jones, pursuant to notice, and leave being granted, introduced

A bill to authorize Justices of the Peace to render judgments

for, and receive and dispose of costs in, certain criminal cases, and providing compensation therefor ;

Which was read a first and second time, and referred to the committee on the judiciary.

Mr. French, pursuant to previous notice, leave being granted, introduced

A bill relative to altering, laying out, and discontinuing highways ;

Read a first and second time, and referred to the committee on roads and bridges.

Mr. Wilder, pursuant to notice, leave being granted, introduced

A bill to change the name of Alonzo M. Baldwin ;

Which was read a first and second time by its title, and referred to the committee on State affairs.

On motion of Mr. Coulter,

*Resolved*, (the House concurring,) That the Senate committee on mines and minerals, and the like committee in the House, be and they are hereby authorized to act as a joint committee.

#### THIRD READING OF BILLS AND RESOLUTIONS.

A bill to extend the time for the collection of drain and ditch tax in the townships of Brownstown and Romulus, in the county of Wayne,

Was read a third time, and a majority of all the Senators elect voting therefor, it was passed by yeas and nays as follows :

#### YEAS.

Mr. Adair,  
Bailey,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,  
Coulter,  
DeLand,  
French,

Gale,  
Galloway,  
Green,  
Hazen,  
Jones,  
Lacy,  
Lane,  
McDermid,

Mr. Mulholland,  
Near,  
Owen,  
Stout,  
Webb,  
Wilder,  
Williams,  
Withey,

25

#### NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all the Senators elect.

Joint resolution relative to the reciprocity treaty of June 5th, 1854,

Was read a third time, and a majority of all the Senators elect voting therefor, it was passed, by yeas and nays, as follows:

## YEAS.

Mr. Adair,	Mr. Gale,	Mr. McDermid,
Bailey,	Galloway,	Mulholland,
Briggs,	Green,	Owen,
Brown,	Hazen,	Stout,
Butterfield,	Ingersoll,	Webb,
Carpenter,	Jones,	Wilder,
Coulter,	Lacy,	Williams,
De Land,	Lane,	Withey,
French,		

25

## NAYS.

0

The title was agreed to.

A bill to amend section 2581 of the compiled laws, being section 4 of an act entitled an act to provide for the collection of tolls, and for the care, charge and operating of the St. Mary's Falls Ship Canal, approved February 12, 1855 ;

Was read a third time, and a majority of all the Senators elect not voting therefor, the same was not passed, by yeas and nays as follows :

## YEAS.

Mr. Bailey,	Mr. French,	Mr. McDermid,
Brown,	Gale,	Mulholland,
Butterfield,	Galloway,	Stout,
Carpenter,	Green,	Wilder,
Coulter,	Lacy,	Withey,
DeLand,		

16

## NAYS.

Mr. Adair,	Mr. Lane,	Mr. Webb,
Ingersoll,	Owen,	

5

Mr. Ingersoll moved to reconsider the vote just taken on the passage of the bill, which was adopted.

Mr. Ingersoll then moved that the bill be recommitted to the



committee on internal improvements, with instructions to strike out of the bill the words "the sum of three dollars per day," in line 11, of section 2.

Mr. DeLand moved to amend by recommitment, with instructions to insert after the word "day," 10th line, the following: "not to exceed thirty days in any one year."

Mr. Brown moved to recommit the bill.

The motion to recommit did not prevail, and

On motion of Mr. Stout,

The bill was laid on the table.

A bill to amend an act entitled an act to provide for the incorporation of railroad companies, approved Feb. 12, 1855 ;

Was read a third time, and

On motion of Mr. Williams,

Was recommitted to the committee on incorporations.

A bill to amend an act entitled an act relative to plank roads approved March 13, 1848 ;

Was read a third time, and

On motion of Mr. Williams,

Was laid on the table.

The Senate then adjourned.

---

*Lansing, Tuesday, January 15, 1861.*

Senate called to order by the President at 10 o'clock.

Prayer by the Rev. Mr. Vibbert,

Roll called : quorum present.

Journal read and approved.

On motion of Mr. Carpenter,

Further leave of absence was granted for Mr. Baker.

#### PETITIONS PRESENTED.

.By Mr. Lane: petition of Byron C. Whitaker and 79 others, praying for a law prohibiting any person or persons from taking or receiving more than seven per cent. interest, by pain of forfeiture and fine;

Referred to the committee on the judiciary.

By Mr. Williams: petition of Henry H. Riley, Geo. A. Coe and others, that a law may be enacted compelling judges of the Circuit Courts to reduce their charges to writing ;

Referred to the committee on judiciary.

By Mr. DeLand : remonstrance of N. B. Beardsley and 40 others, citizens of Jackson county, against the repeal of the charter of the Jackson & Michigan Plank Road Co.;

Referred to the committee on incorporations.

By Mr. DeLand : remonstrance of J. E. Bebee against the repeal of the charter of the Jackson & Michigan Plank Road Co.;

Referred to the committee on incorporations.

By Mr. DeLand: petition of David Lantis and 28 other citizens of Jackson county, for relief from a certain tax levied by the drainage commissioners of said county;

Also, of D. L. Ball and 10 others, for the same;

Referred to the committee on the judiciary.

By Mr. Briggs: petition of D. G. Stone, Wm. C. Rowe and 32 others, freeholders of the township of Watson, in Allegan county, asking for the discontinuance of that portion of the Allegan and Lansing State road which passes through said township.

Referred to the committee on roads and bridges.

#### MESSAGES FROM THE OTHER HOUSE.

The President announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, January 14, 1861. }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following entitled bill :

A bill to repeal act number 29, of the session laws of 1859 ;

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, January 14, 1861.* }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following concurrent resolution :

*Resolved,* (the House concurring,) That the committees of the Senate and House of Representatives on the Asylum for the Insane, be empowered to act as a joint committee, and that they have power to visit said Asylum, examine the same in all its parts, that they may report understandingly to their respective Houses, upon the management and necessities of said Institution ;

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of House of Representatives.*

The message was laid on the table.

Also the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, January 14, 1861.* }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following joint resolution entitled :

Joint resolution relative to the suit of this State against the Phenix Bank of the city of New York;

In the passage of which, the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the joint resolution ordered enrolled.

## MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Jones, leave being granted, introduced

A bill for the division of the State into congressional districts;

Which was read twice, laid on the table, and ordered printed.

Mr. DeLand, pursuant to previous notice, leave being granted, introduced

A bill to amend act No. 104, of the session laws of 1859, amending section 8, of chapter 38, of title 9, of the revised statutes of 1846, relative to the support of poor persons by the public (compiled laws, section 1439);

Which bill was read twice, and referred to the committee on the judiciary.

Mr. Ingersoll offered the following:

*Resolved*, (if the House concur,) That five hundred copies of the manual be printed for the use of the present Legislature, State officers, and the Legislature of 1863;

Which was adopted.

Mr. Owen offered the following :

*Resolved*, That the Senate cause to be printed for the use of its members and officers, 500 copies of Prof. Fisk's Lecture on Agriculture and the Agricultural College, delivered in Representative Hall, January 14, 1861.

Mr. Withey moved to amend by adding "also 500 copies of Mr. Hyde's temperance lecture to be delivered this evening;"

Which motion was lost by the following vote, Mr. Ingersoll calling for the yeas and nays :

## YEAS.

Mr. DeLand,  
French,  
Lane,

Mr. Tower,  
Webb,

Mr. Wilder,  
Withey,

7

## NAYS.

Mr. Adair,  
Bailey,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,

Mr. Carpenter,  
Coulter,  
Galloway,  
Green,  
Hazen,

Mr. Ingersoll,  
Jones,  
McDermid,  
Owen,  
Stout,

16

Mr. Hazen moved that the resolution be indefinitely postponed; whereupon

Mr. Owen withdrew the resolution.

Mr. French gave notice that on some future day he would ask leave to introduce

A bill to amend section 364, chapter 10, of the compiled laws.

Mr. Hazen gave notice that on some future day he would ask leave to introduce

A bill for the extension of the time one month for the collection of taxes in the township of St Clair, in the county of St. Clair, for the year 1860.

Mr. Briggs gave notice that on some future day he would ask leave to introduce

A bill to discontinue that portion of the Allegan & Lansing State road passing through the township of Watson, in Allegan county.

Mr. Coulter gave notice that on some future day he would ask leave to introduce

A bill to repeal an act to amend an act entitled an act to amend chapter 28 of the revised statutes of 1846, relative to highway taxes, approved April 2, 1850.

Mr. Bailey, leave being granted, introduced

A bill to divide the State into six Congressional districts;  
Which was read twice, laid on the table, and ordered printed.

On motion of Mr. Baldwin,

Senate bill No. 5, being

A bill to amend an act entitled an act relative to plank roads,  
approved March 13, 1848,

Was taken from the table.

Mr Baldwin moved that the bill be put upon its immediate passage ;

Which motion did not prevail.

On motion of Mr. Ingersoll,

The bill was laid on the table.

Mr. DeLand gave notice that on some future day he would ask leave to introduce

A bill to authorize the Auditor General to cancel the sale of certain lands for ditch or drain tax, in the county of Jackson.

THIRD READING.

Senate bill, entitled

A bill to authorize fractional school district number 1, of the townships of Shelby and Sterling, in the county of Macomb, to issue bonds,

Was read a third time and passed, by yeas and nays as follows, a majority of all the Senators elect voting therefor :

YEAS.

Mr. Adair,	Mr. French,	Mr. Owen,
Bailey,	Green,	Stout,
Baldwin,	Hazen,	Strickland,
Briggs,	Ingersoll,	Tower,
Brown,	Jones,	Webb,
Butterfield,	Lacy,	Wilder,
Carpenter,	Lane,	Williams,
Coulter,	McDermid,	Withey,
De Land,		

25

NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect, by a vote of two-thirds of all of said Senators.

Senate bill No. 3, being

A bill to amend an act entitled "an act to provide for the construction of train railways," approved February 13, 1855,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays as follows :

YEAS.

Mr. Adair,	Mr. French,	Mr. McDermid,
Bailey,	Galloway,	Owen,
Baldwin,	Green,	Strickland,
Briggs,	Hazen,	Tower,
Brown,	Ingersoll,	Webb,
Butterfield,	Jones,	Wilder,
Carpenter,	Lacy,	Williams,
Coulter,	Lane,	Withey,
DeLand,		

25

NAYS.

Mr. Stout,

1

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all of said Senators.

Senate bill No. 6, being

A bill to provide for the payment of members and officers of the Legislature for the year 1861,

Being on the order of third reading,

Mr. Stout moved to recommit the same to the committee on finance with instructions to consider whether the secretaries and clerks of the respective houses are entitled to mileage, and if so to incorporate a provision for the same in the bill, and report it back to the Senate as soon as convenient.

Mr. Briggs moved to amend by striking out the word "and," where it first occurs in the resolution, and inserting after the word "clerks" the words "and sergeant-at-arms;"

Which motion prevailed.

Mr. Williams moved to amend by striking out the words "secretaries, clerks, and sergeant-at-arms," and insert "the employees, or any of them," in lieu thereof;

Which motion prevailed.

The question being on the adoption of the motion as amended,

Mr. DeLand called for a division of the question, which being ordered, the motion to recommit prevailed.

That portion relating to instructions also prevailed.

Mr. Carpenter moved that the Senate adjourn;

Which motion was lost.

Mr. Ingersoll moved a call of the Senate,

Which call was ordered; and, upon calling the roll, Senators Backus and Briggs were reported absent without leave.

On motion of Mr. DeLand,

The Sergeant-at-Arms was despatched after Senator Backus.

The Sergeant-at-Arms reported Senator Backus at the bar of the Senate.

On motion of Mr. Ingersoll,

Mr. Backus was allowed to make his excuse.

Mr. Backus explained the cause of his absence; when,

On motion of Mr. Hazen,

He was excused by the Senate, and allowed to resume his seat.

On motion of Mr. Stout,

Further proceedings under the call were dispensed with.

On motion of Mr. Withey,

The Senate adjourned.

---

*Lansing, Wednesday, January 16, 1861.*

The Senate was called to order by the President at 10 o'clock.

Prayer by the Rev. Mr. Meyer.

Roll called : quorum present.

Journal read and approved.

PETITIONS PRESENTED.

By Mr. DeLand : petition of J. D. Woodworth and 98 others, citizens of Jackson, Eaton and Ingham counties ; also, of Wesley Vaughn and 56 others, citizens of Eaton Rapids, for the repeal of the charter of the Jackson and Michigan Plank Road company ;

Also,

Remonstrance and statement of the Directors of the Jackson and Michigan Plank Road company, against the repeal of the charter of said company, and petition for relief ;

Which were severally referred to the committee on incorporations.

By Mr. DeLand : petition of Edward Croman and 70 others, citizens of Jackson county, for relief from the operation of the drainage law.

Referred to the committee on the judiciary.

By Mr. Baldwin : petition of J. A. Potter, K. Bates, Geo. C. Bates, and 69 others, for the repeal of act number 62, of 1855, commonly known as the personal liberty bill ; and to repeal the amendment made in 1859, to the act to prevent kidnapping.

Referred to the committee on federal relations.

Mr. Withey presented the following resolutions of the Board of Supervisors of Kent county :



*Resolved, unanimously, by the Board of Supervisors of the County of Kent,* That the Legislature of the State of Michigan be requested to amend subdivision 2d, of section one, of act 117, of session laws of 1859, so that the same shall read as follows:

2d. A road from the south line of township eight north, of range twelve west, through Newaygo, in the county of Newaygo to Northport, to be known as the Newaygo and Northport State road.

*Resolved, further,* That our Senator and Representatives in the State Legislature be requested to use their influence to promote the objects of the foregoing memorial, and that the Clerk of this Board be directed to send copies of these resolutions to our Senator and Representatives.

Which resolutions were referred to the committee on roads and bridges.

Mr. Withey also presented the following preamble and resolution of the board of supervisors of Kent county:

*Whereas,* It is the opinion of this board of Supervisors, that the law fixing the salary of the judge of probate in this county at \$1,536 is entirely too liberal for the interests of the taxpayers of this county; therefore,

*Resolved, unanimously,* That the Legislature of the State be requested to amend said law so that the salary of the judge of probate, for this county, at least, may be fixed by the board of supervisors; and that the clerk be instructed to transmit copies of this resolution to our Senator and Representatives at Lansing.

Referred to the committee on judiciary.

By Mr. Baldwin: petition of A. H. Adams, Samuel Lewis, J. C. D. Williams, and 48 others, for the repeal of Act No. 62, of 1855, and to repeal amendment made in 1859, to kidnapping bill

Referred to the committee on federal relations.

By Mr. Baldwin: memorial and remonstrance of T. C. Owen, Geo. F. Collins, and 60 others, against the repeal or modification of personal liberty laws;

Referred to committee on federal relations.

By Mr. Tower: petition of E. R. Elmwood, Leonard Rossman, and 24 others, to organize townships 11 and 12 north of range 9 west, into a new town, to be called Winfield;

Referred to the committee on towns and counties.

#### REPORTS OF STANDING COMMITTEES.

By the committee on judiciary :

The committee on the judiciary to whom was referred

Joint resolution for the purpose of amending the constitution in relation to the power of the Governor to remove from office, and fill vacancies so created,

Have had the same under consideration, and would respectfully report the same back to the Senate with an amendment giving the Governor power to examine into the condition of the several public offices, and, so amended, would recommend the passage of the resolution.

All which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the joint resolution ordered printed, referred to the committee of the whole, and placed on the general order.

By the judiciary committee :

The committee on judiciary, to whom was referred House bill No. 4, being

A bill to provide for the restoration of lost records, papers and proceedings in courts of record,

Have had the same under consideration, and would respectfully report the same back to the Senate without amendment and recommend its passage.

All which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill referred to the committee of the whole and placed on the general order.

By the judiciary committee:

The committee on the judiciary to whom was referred the petition and bill requiring circuit judges to reduce their charges to jurors, in all cases, to writing, have had the same under consideration, and would respectfully report that in the opinion of your committee, such a practice would be not only inconvenient but so onerous as to be impracticable and endanger the dispatch of justice, so necessary to the public good; they therefore report adverse to the measure, and ask to be discharged from the further consideration of the same.

All which is respectfully submitted.

H. T. BACKUS, *Chairman*.

The report was accepted and committee discharged.

The petition was laid on the table, and the bill referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary :

The committee on the judiciary, to whom was referred the several petitions of David Lantes and others, and also of D. L. Ball and others, to be released touching certain taxes and assessments growing out of the execution of the general ditch law,

Have had the same under consideration and would respectfully report that in the opinion of your committee, the grievances complained of by the petitioners arise not from any defects stated in the law itself, that require amendment or alteration, but arise from the manner of its execution, and are therefore properly the subject of judicial, not legislative action. They therefore report adverse to the prayer of the petitioners, and ask to be discharged from the further consideration of the same.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman*.

Report accepted and committee discharged.

Mr. DeLand moved that the petitions be referred to the committee on finance ;

Which motion did not prevail.

On motion of Mr. DeLand,

The petitions were laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

House bill (No. 2) to amend section 44, of chapter 65, of the revised statutes of 1846, being sec. 2763 of the compiled laws, concerning mortgages,

Have had the same under consideration, and would respectfully report the same back to the Senate amended in pursuance of instructions, and, so amended, would recommend its passage.

All which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill referred to the committee of the whole, and placed on the general order.

By the judiciary committee:

The committee on the judiciary, to whom was referred the petition of George G. Parkhurst and others, asking that the county of Branch may be attached to the first judicial circuit, have had the same under consideration, and would respectfully report that they are of the opinion that such action would be unwise and inexpedient, and from the condition of the business in that county no relief would thereby be rendered to the pressure of business in the county of Branch; they therefore report adversely to the prayer of the petition, and ask to be discharged from the further consideration of the same.

All which is respectfully submitted.

H. T. BACKUS, *Chairman.*

Report accepted, and committee discharged, and the petition laid on the table.

By the committee on the judiciary:

The judiciary committee, to whom was referred the petition of Byron C. Whitaker, and others, for the passage of a law restraining, under the penalty of the forfeiture of the debt and interest, the taking of a greater amount of interest than seven per cent.,

Have had the same under consideration, and would respect-

fully report that in their opinion no further legislation is at present required upon the subject, the rate of interest asked to be established by the petitioners being that now established by law, except where the parties, of their own accord, make some other contract. Your committee, therefore, ask to be discharged from the further consideration of the same.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the petition laid on the table.

By the judiciary committee :

The committee on the judiciary, to whom was referred

A bill to amend sections 4839, 4840, 4841 and 4842, of the compiled laws,

Report that they have had said bill under consideration, and report the same back to the Senate, with amendment, and recommend that said bill, as amended, do pass.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill referred to the committee of the whole, and placed on the general order.

By the committee on State affairs :

The committee on State affairs, to whom was referred

A bill to change the name of Alonzo M. Baldwin,

Report that they have had the same under consideration, and return it to the Senate, with the recommendation that it do pass.

B. G. STOUT, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

Mr. Baldwin, of the committee on finance, reported

A bill making appropriations for the salaries of the State officers, for the years 1861 and 1862 ;

Which bill was read twice, referred to the committee of the whole, and placed on the general order.

By the committee on public lands :

The committee on public lands, to whom was referred the joint resolution for the relief of Robert W. Cummings, which resolution passed the House of Representatives January 11, 1861,

Respectfully report that they have had the same under consideration, and report the same back to the Senate without amendment, and recommend that it do pass.

EZRA HAZEN, *Chairman.*

The report was accepted, the committee discharged, and the joint resolution ordered to a third reading.

MESSAGE FROM THE OTHER HOUSE:

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, January 15, 1861. }

*To the President of the Senate:*

I am instructed by the House to transmit the following bill, entitled

A bill to compel the service of process by certain ministerial officers;

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill read twice and referred to the committee on the judiciary.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Stout,

Senate bill No. 11, being

A bill to amend sections 4339, 4340, 4341, 4342, of the compiled laws,

Was taken from the general order, the amendments recommended by the committee on the judiciary concurred in, and the same again placed on the general order.

Mr. Ingersoll introduced the following :

*Resolved*, That the committee on the judiciary be and the same are hereby instructed to examine into the laws which refer to the protection of persons from unlawful claims to service, and that said committee be directed to make such full investigation into the same, with all the legal and judicial light they can obtain on the subject, and report to the Senate whether any action should be had thereon to reform or in any way amend the same.

*Resolved*, That the committee of the judiciary have power to act jointly in this matter with a like committee on the part of the House, should they so desire or deem expedient, and report to the Senate by bill or otherwise.

On motion of Mr. Williams,

The resolution was laid on the table.

Mr. DeLand gave notice that to-morrow or on some future day he would ask leave to introduce

A bill to amend sec. 93 of an act to provide for holding general and special elections, approved June 27, 1851, relative to the fees of county clerks and district canvassers.

On motion of Mr. DeLand, it was

*Resolved*, That the committee on mines and minerals be instructed to examine and report whether any further legislation is proper or necessary to the complete developement of the coal, lead, copper and iron interests of this State.

Mr. Hazen gave notice that he would on some future day ask leave to introduce

A bill to extend the time for the collection of taxes in the townships of Clyde and Columbus, in the county of St. Clair.

Mr. Strickland, leave being granted, introduced,

A bill to repeal section 3941 of the compiled laws;

Which was read twice and referred to the committee on the judiciary.

Mr. Strickland, unanimous consent being given, introduced

A bill to amend chapter 117 of the compiled laws;

Which was read twice and referred to the committee on the judiciary.

Mr. Strickland, pursuant to notice, leave being granted, introduced

A bill to amend section 3926 of the compiled laws;

Which was read twice and referred to the committee on the judiciary.

Mr. Tower gave notice that on some future day he would ask leave to introduce

A bill to organize towns 11 and 12 north of range 9 west, into a town to be called Winfield.

Mr. Wilder, leave being granted, introduced

A bill appropriating certain swamp lands for opening and improving a road from Port Sanilac, in Sanilac county, to the southern terminus of the Bay city and Tuscola plank road ;

Which was read twice, and referred to the committee on public lands.

Mr. Briggs, leave being granted, introduced

A bill to discontinue a portion of the Allegan and Lansing State road;

Which was read twice, and referred to the committee on roads and bridges.

Mr. French, leave being granted, introduced

A bill to amend section 364, of chapter 10, of the compiled laws;

Also,

A bill to amend an act entitled an act to provide against the recovery of damages done by beasts on lands not enclosed by a lawful fence, approved March 17, 1847, being section 628 of the compiled laws ;

Which were read twice, and referred to the committee on the judiciary.

Mr. Coutler, leave being granted, introduced

A bill to repeal an act entitled an act to amend chapter 23 of the revised statutes of 1846, relative to highway taxes, approved April 2, 1850 ;

Which was read twice and referred to the committee on the judiciary.



Mr. Withey, pursuant to notice, leave being granted, introduced

A bill to authorize the sale by the State Treasurer of two thousand copies of the compiled laws ;

Which was read twice, and referred to the committee on State affairs.

### THIRD READING.

Senate bill, entitled

A bill to change the name of Alonzo M. Baldwin,

Was read a third time, and passed by the following vote, a majority of all the Senators elect voting therefor, by yeas and nays, as follows :

### YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Monroe,	
Backus,	French,	Owen,	
Bailey,	Galloway,	Stout,	
Baker,	Green,	Strickland,	
Baldwin,	Hazen,	Tower,	
Briggs,	Ingersoll,	Webb,	
Brown,	Jones,	Wilder,	
Butterfield,	Lacy,	Williams,	
Carpenter,	Lane,	Withey,	
Coulter,	McDermid,		29

### NAYS.

0

The title was agreed to.

House joint resolution No. 1, being

Joint resolution for the relief of Robert W. Cummings,

Was read a third time, and two-thirds of the Senators elect elect not voting therefor, the same was lost by yeas and nays as follows:

### YEAS.

Mr. Adair,	Mr. Hazen,	Mr. Tower,	
Brown,	Ingersoll,	Webb,	
Carpenter,	Owen,	Wilder,	
DeLand,	Stout,		11

### NAYS.

Mr. Backus,	Mr. Coulter,	Mr. Lane,	
Bailey,	French,	McDermid,	
Baker,	Galloway,	Monroe,	
Baldwin,	Green,	Strickland,	

Briggs,  
Butterfield,

Jones,  
Lacy,

Williams,  
Withey,

18

On motion of Mr. DeLand,

The Senate took a recess until two o'clock, P. M.

#### AFTERNOON SESSION.

The Senate was called to order at 2 o'clock P. M.

Roll called : quorum present.

#### SPECIAL ORDER.

The joint resolutions accompanying the majority and minority reports of the committee on federal relations being the special order for this hour, the same were taken up.

Mr. Ingersoll moved the adoption of the "joint resolutions on the State of the Union," reported by the majority of the committee.

Mr. Williams moved to amend by striking out the entire preamble and joint resolutions reported by the majority, and inserting in lieu thereof, the "joint resolutions on the present crisis."

Pending which,

Mr. Ingersoll moved a call of the Senate;

Which call, being ordered, the roll was called, and Senators Coulter, Galloway, Green, Owen, Stout, Tower, and Webb reported absent without leave.

The Sergeant-at-Arms was despatched for the absentees, who severally presented themselves at the bar of the Senate, were permitted to take their seats, and all further proceedings under the call were dispensed with.

Mr. Baldwin moved that the resolutions be considered by the Senate as in the committee of the whole.

Which motion prevailed, by yeas and nays, as follows:

#### YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baker,

Mr. Coulter,  
Gale,  
Hazen,  
Ingersoll,

Mr. Near,  
Owen,  
Stout,  
Strickland,

Baldwin,  
Briggs,  
Brown,  
Butterfield,

Jones,  
McDermid,  
Monroe,  
Mulholland,

Tower,  
Webb,  
Withey,

23

## NAYS.

Mr. Carpenter,  
DeLand,  
French,

Mr. Galloway,  
Green,  
Lacy,

Mr. Wilder,  
Williams,

8

The resolutions were considered as in committee of the whole;

And after some time thus spent, the President announced that the Senate, as in committee of the whole, had had the resolutions reported by the committee under consideration, had made several amendments thereto, but had not concluded action thereon.

Mr. Strickland moved that the special order be further considered to-morrow, at two o'clock.

Mr. Deland moved to amend by striking out "to-morrow at two o'clock," and inserting "this evening at seven o'clock;"

Which motion did not prevail, the following being the vote thereon:

## YEAS.

Mr. Bailey,  
Baker,  
Brown,  
Butterfield,  
DeLand,

Mr. French,  
Green,  
Lacy,  
McDermid,  
Near,

Mr. Owen,  
Tower,  
Webb,  
Williams,

14

## NAYS.

Mr. Adair,  
Backus,  
Baldwin,  
Briggs,  
Carpenter,  
Coulter,

Mr. Gale,  
Galloway,  
Hazen,  
Ingersoll,  
Jones,  
Monroe,

Mr. Mulholland,  
Stout,  
Strickland,  
Wilder,  
Withey,

17

The pending motion prevailed.

The Senate then adjourned.

*Lansing, Thursday, January 17, 1861.*

Senate called to order by the President at 10 o'clock.

Prayer by the Rev. Mr. Vibbert.

Roll called : quorum present.

Journal read and approved.

PETITIONS PRESENTED.

Mr. Brown presented a memorial of the board of supervisors of the county of Kalamazoo, asking an amendment of the law in relation to forfeited recognizances in criminal proceedings; also, a memorial from the same, asking that the law may be amended so as to confer upon the board of supervisors the power to determine the salary of the judge of probate;

Which were referred to the committee on the judiciary.

Mr. Brown also presented a remonstrance of H. G. Wells and others, of Kalamazoo, against changing the laws so as to take the power of fixing the salary of probate judges from the Legislature and conferring the same on the board of supervisors, and against any change in the present law on the subject ;

Referred to the committee on the judiciary.

REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary :

The committee on the judiciary, to whom was referred the petition of A. B. Hubbard and others, to be relieved touching the execution and operation of the general drainage law in certain cases,

Have had the same under consideration, and would respectfully report that the subject of complaint by the petitioners is rather one of judicial than legislative action ; they therefore report the same back to the Senate, and ask to be discharged from the further consideration of the same.

All which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the petition laid on the table.

By the judiciary committee:

The committee on the judiciary, to whom was referred  
House bill No. 6, being

A bill to compel the service of process by certain ministerial officers,

Have had the same under consideration, and would respectfully report the same back to the Senate, and recommend its passage.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill referred to the committee of the whole and placed on the general order.

By the judiciary committee :

The committee on the judiciary to whom was referred

A bill to amend section 364, of chapter 10, of the compiled laws,

Have had the same under consideration, and would respectfully report the same back to the Senate, and recommend its passage.

All which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill laid on the table and ordered printed.

By the committee on State affairs :

The committee on State affairs, to whom was referred

A bill to provide for the sale of 2000 copies of the compiled laws,

Respectfully report that they have had the same under consideration, and return it to the Senate, with the recommendation that it do pass.

BYRON G. STOUT, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on engrossment and enrollment :

The committee on engrossed bills, to whom was referred

A bill to repeal act No. 29, of the session laws of 1859 ;

Also,

Joint resolutions relative to the suit of this State against the Phoenix Bank of the city of New York,

Beg leave to report that they have had the same under consideration, and find them correctly enrolled.

H. C. BRIGGS, *Chairman.*

The bill and joint resolution were signed and presented to the Governor.

MESSAGE FROM THE OTHER HOUSE:

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, January 16, 1861. }

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following entitled bills:

1st. A bill to amend section 4 of an act entitled an act supplementary to an act to define the limits, jurisdiction and powers of circuit courts, approved April 8, 1851; and to repeal an act supplementary to said act, approved June 27, 1851, which act, hereby amended, was approved February 16, 1853, being section 3438 of compiled laws;

2nd. A bill to provide for the incorporation of associations for the publication of books, tracts, documents and other matters of a religious, historical, literary or educational character;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, the first named bill read twice and referred to the committee on the judiciary, and the last named bill read twice and referred to the committee on public instruction.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, January 16, 1861.* }

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following entitled bill,

A bill to provide for the collection and return of taxes by township treasurers in newly organized counties,

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of House of Representatives.*

The message was laid on the table, and the bill referred to the committee of the whole and placed on the general order.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Butterfield,

A bill to change the name of William Franklin Kelly,

Was taken from the table and placed on the order of third reading.

Mr. Bailey introduced the following :

*Resolved*, That the President of the Senate be and is hereby authorized to appoint an additional fireman to the Senate, and that said fireman be required to occupy a room in the Senate chamber;

Which resolution was adopted.

Mr. French, leave being granted, introduced

A bill to provide a treasury system for the State of Michigan, for the manner of receiving, holding and disbursing the public moneys of the State, and for the safe keeping of the same ;

Which was read twice, laid on the table and ordered printed.

Mr. Hazen, leave being granted, introduced

A bill to extend the time for collection of taxes in the town,

ships of Clyde, Columbus and St. Clair, in the county of St. Clair ;

Which was read twice, and referred to the committee on the judiciary.

On motion of Mr. Stout,

The four several bills, to divide the State into six congressional districts,

Were taken from the table, and referred to the special committee on that subject.

Mr. Wilder moved that the vote of the Senate, yesterday, by which the House joint resolution, entitled

Joint resolution for the relief of Robert W. Cummings,

Was not passed, be reconsidered ;

Which motion prevailed.

The joint resolution, two-thirds of all the Senators elect not voting therefor, was not passed, the yeas and nays being as follows :

#### YEAS.

Mr. Adair,	Mr. Green,	Mr. Near,	
Brown,	Hazen,	Owen,	
Butterfield,	Ingersoll,	Stout,	
Carpenter,	Jones,	Tower,	
DeLand,	Lane,	Webb,	
Gale,	McDermid,	Wilder,	18

#### NAYS.

Mr. Backus,	Mr. Coulter,	Mr. Mulholland,	
Bailey,	French,	Strickland,	
Baker,	Galloway,	Williams,	
Baldwin,	Lacy,	Withey,	
Briggs,	Monroe,		14

The President announced the following communication from the Governor:

EXECUTIVE OFFICE,  
Lansing, January 17, 1861. }

*To the Senate:*

I hereby communicate to the Senate the accompanying communication from His Excellency the Governor of the State of New York, together with a copy of the concurrent resolutions of the Legislature of that State "tendering aid to the President



of the United States in support of the Constitution and the Union," to which your attention is most respectfully invited.

AUSTIN BLAIR.

STATE OF NEW YORK, }  
EXECUTIVE DEPARTMENT,  
*Albany, January 11, 1861.* }

SIR:—In obedience to the request of the Legislature of this State, I transmit herewith a copy of the concurrent resolutions of that body, adopted this day, tendering the aid of the State to the President of the United States, to enable him to enforce the laws and to uphold the authority of the Federal Government.

I have the honor to be,

Your Excellency's obd't serv't,

EDWIN D. MORGAN.

*His Excellency, AUSTIN BLAIR, Governor of the State of Michigan.*

CONCURRENT RESOLUTIONS TENDERING AID TO THE PRESIDENT OF THE UNITED STATES IN SUPPORT OF THE CONSTITUTION AND THE UNION.

STATE OF NEW-YORK, }  
*In Assembly, January 11, 1861.* }

*Whereas*, Treason, as defined by the Constitution of the United States, exists in one or more of the States of this Confederacy,

*And whereas*, The insurgent State of South Carolina, after seizing the post-office, custom house, moneys and fortifications of the Federal Government, has, by firing into a vessel ordered by the Government to convey troops and provisions to Fort Sumpter, virtually declared war ;

*And whereas*, The forts and property of the United States Government in Georgia, Alabama, and Louisiana, have been unlawfully seized with hostile intentions ;

*And whereas, further*, Senators in Congress avow and maintain their treasonable acts ; therefore

*Resolved*, (if the Senate concur,) That the Legislature of New York, profoundly impressed with the value of the Union, and determined to preserve it unimpaired, hail with joy the recent firm, dignified and patriotic special message of the

President of the United States, and that we tender to him, through the Chief Magistrate of our own State, whatever aid in men and money he may require to enable him to enforce the laws and uphold the authority of the Federal Government. And that in defense of "the more perfect Union," which has conferred prosperity and happiness upon the American people, renewing the pledge given and redeemed by our fathers, we are ready to devote "our fortunes, our lives and our sacred honor" in upholding the Union and the Constitution.

*Resolved*, (if the Senate concur,) That the Union-loving Representatives and citizens of Delaware, Maryland, Virginia and North Carolina, Kentucky, Missouri and Tennessee, who labor with devoted courage and patriotism to withhold their States from the vortex of secession, are entitled to the gratitude and admiration of the whole people.

*Resolved*, (if the Senate concur,) That the Governor be respectfully requested to forward, forthwith, copies of the foregoing resolutions to the President of the Nation, and the Governors of all the States of the Union.

The preceding preamble and resolutions were duly passed.

By order.

H. A. RISLEY, *Clerk*.

*In Senate, January 11, 1861.*

The preceding preamble and resolutions were duly passed.

By order.

JAMES TERWILLIGER, *Clerk*.

On motion of Mr. French,

The communication was laid on the table and ordered printed in the journal.

Mr. Ingersoll offered the following :

*Whereas*, Petitions have been presented to this Senate asking for the repeal of the so-called personal liberty laws, now upon our statutes, and also remonstrances against such repeal, which said petitions and remonstrances have been referred to the committee on federal relations ; therefore

*Resolved*, That the committee on the judiciary be and are hereby instructed to examine into the so-called personal liberty laws of this State, and to obtain the best legal and judicial

opinions they can on the subject, and report to the Senate whether any of the provisions of those laws are in violation of the Constitution of the United States, and if so, wherein.

Mr. DeLand moved to amend by inserting after the words "personal liberty bills," the words "and the prohibitory liquor law;"

Which motion did not prevail.

Mr. Stout moved, as a substitute, that the committee on federal relations be discharged from the further consideration of the whole matter referred to that committee, and that the same be referred to the committee on the judiciary.

Mr. Williams moved the indefinite postponement of the whole subject;

Which motion did not prevail, the following being the vote thereon:

## YEAS.

Mr. Backus,	Mr. Jones,	Mr. Owen,	
Brown,	Lacy,	Tower,	
Butterfield,	McDermid,	Webb,	
French,	Near,	Williams,	
Galloway,			13

## NAYS.

Mr. Adair,	Mr. Coulter,	Mr. Monroe,	
Bailey,	DeLand,	Mulholland,	
Baker,	Green,	Stout,	
Baldwin,	Hazen,	Strickland,	
Briggs,	Ingersoll,	Wilder,	
Carpenter,	Lane,	Withey,	18

The substitute offered by Mr. Stout was lost by the following vote:

## YEAS.

Mr. Adair,	Mr. Coulter,	Mr. Mulholland,	
Bailey,	Hazen,	Stout,	
Baker,	Ingersoll,	Tower,	
Baldwin,	Jones,	Wilder,	
Butterfield,	Monroe,	Withey,	15

## NAYS.

Mr. Backus,	Mr. Gale,	Mr. Near,
Briggs,	Green,	Owen,

Brown,  
Carpenter,  
DeLand,  
French,

Lacy,  
Lane,  
McDermid,

Strickland,  
Webb,  
Williams,

16

Mr. Carpenter offered the following as a substitute for the original resolution:

*Resolved*, That the law of 1855, commonly called the "Personal Liberty Law," and the law of 1859, in relation to kidnapping, are calculated to impede the efficient execution of the "fugitive slave law," and that they are otherwise unjust, unwise and unconstitutional, and therefore, in the opinion of this Legislature, ought to be repealed.

Mr. DeLand moved the previous question.

The main question being ordered, and the vote taken on the substitute offered by Mr. Carpenter, the same was lost, by yeas and nays, as follows :

## YEAS.

Mr. Adair,	Mr. Coulter,	Mr. Mulholland,	3
------------	--------------	-----------------	---

## NAYS.

Mr. Backus,	Mr. Gale,	Mr. Near,	
Bailey,	Galloway,	Owen,	
Baker,	Green,	Stout,	
Baldwin,	Hazen,	Strickland,	
Briggs,	Ingersoll,	Tower,	
Brown,	Jones,	Webb,	
Butterfield,	Lacy,	Wilder,	
Carpenter,	Lane,	Williams,	
DeLand,	McDermid,	Withey,	
French,	Monroe,		29

The question recurring on the original resolution offered by Mr. Ingersoll, the same was not adopted, the vote thereon being as follows :

## YEAS.

Mr. Adair,	Mr. Coulter,	Mr. Mulholland,	
Bailey,	Hazen,	Stout,	
Baker,	Ingersoll,	Wilder,	
Baldwin,	Jones,	Williams,	
Briggs,	Monroe,	Withey,	15

## NAYS.

Mr. Backus,	Mr. Gale,	Mr. Near,	
Brown,	Galloway,	Owen,	
Butterfield,	Green,	Strickland,	
Carpenter,	Lacy,	Tower,	
DeLand,	Lane,	Webb,	
French,	McDermid,		17

On motion of Mr. French,

The Senate took a recess until 2 o'clock, P. M.

## AFTERNOON SESSION.

The Senate was called to order at 2 o'clock.

Roll called: a quorum present.

## SPECIAL ORDER.

The Senate resumed the consideration of the special order, as in committee of the whole.

After some time thus spent, the President reported that the Senate, as in committee of the whole, had had under consideration,

Joint resolution on the state of the Union,

And had made some amendments thereto;

Which report was accepted.

Mr. Withey offered the following as a substitute therefor: .

*Whereas*, The insurgent State of South Carolina, after seizing the post office, custom house, moneys and fortifications of the Federal Government, has, by firing into a vessel ordered by the government to convey troops and provisions to Fort Sumpter, virtually declared war;

*And whereas*, The forts and property of the United States government in the gulf States have been unlawfully seized, with hostile intentions;

*And whereas*, further, Senators and Congressmen avow and maintain their treasonable acts; therefore

*Resolved by the Senate and House of Representatives of the State of Michigan*, That the Legislature of Michigan, profoundly impressed with the value of the Union, and determined to preserve

it unimpaired, tender to the President of the United States the military force of Michigan to enforce the laws and uphold the authority of the Federal Government, and in the defence of the more perfect union, which has conferred prosperity and happiness on the American people; renewing the pledge given and redeemed by our fathers, we are ready to devote our fortunes, our lives and our sacred honor, in upholding the Union and the Constitution.

*Resolved*, That the union-loving citizens and Representatives of the border slave States, who labor with devoted courage and patriotism to withhold their States from the vortex of secession, are entitled to the admiration of the whole people.

*Resolved*, That while insisting upon their constitutional rights, the people of Michigan will ever be ready, cordially to perform all their constitutional obligations; and if there be anything in the past legislation of the State, inconsistent with those obligations, we pledge ourselves, in a spirit of liberality and fraternal kindness, that it shall be so corrected as to avoid all just cause of complaint on the part of the people of our sister States.

*Resolved*, That the Governor be requested to transmit authenticated copies of the foregoing resolutions to the President of the nation, to the Governors of the several States, and to our Senators and Representatives in Congress.

Mr. Stout submitted as an amendment of the substitute, the following, to stand in lieu thereof:

*Whereas*, The citizens of certain States have passed acts of secession, assuming thereby to absolve themselves from all allegiance to our common Government, and neglecting all constitutional means for obtaining redress of alleged grievances, have seized the forts, arsenals, and other public buildings belonging to the United States, have arrayed themselves open hostility to the Federal authority, and committed overt acts of treason: therefore

*Resolved by the Senate and House of Representatives of the State of Michigan*, That this State, submitting all her acts to be judged by the Constitution of the United States, recognizes

in that instrument ample protection for her rights, and for the rights of her sister State, and that whenever those rights are conceived not to be clearly defined, or whenever grievances are supposed to exist under that organic law, there remains only one lawful mode of redress, and that is, by an amendment of the Constitution.

*Resolved*, That the States assuming to secede from the Union, by neglecting to avail themselves of the constitutional remedy, and by resorting to acts of hostility, have forfeited all sympathy and respect, and have entailed upon themselves the just imputation of treason.

*Resolved*, That obedience to the Constitution, and to the laws of the United States made in pursuance thereof, is demanded and must be maintained, and to this end the Governor of the State is hereby authorized to tender to the President the military force of the State.

*Resolved*, That the Governor is hereby requested to forward a copy of these resolutions to the President of the United States, to the Governors of each one of the States, and to our Senators and Representatives in Congress.

Which amendment did not prevail, the yeas and nays thereon being as follows :

## YEAS.

Mr. Baker,	Mr. Galloway,	Mr. Stout,	
Capreuter,	Green,	Tower,	
DeLand,	Lane,	Wilder,	
French,	Owen,		11

## NAYS.

Mr. Adair,	Mr. Coulter,	Mr. Monroe,	
Backus,	Gale,	Mulholland,	
Bailey,	Hazen,	Near,	
Baldwin,	Ingersoll,	Strickland,	
Briggs,	Jones,	Webb,	
Brown,	Lacy,	Williams,	
Butterfield,	McDermid,	Withey,	21

Mr. Owen moved the following as a substitute for the third resolution :

*Resolved*, That while Michigan insists upon her constitutional

rights, she will be ever ready cordially to perform all constitutional obligations to her sister States in a spirit of forbearance and mutual concession.

Which amendment prevailed by the following vote :

## YEAS.

Mr. Bailey,	Mr. Gale,	Mr. Owen,
Baker,	Galloway,	Stout,
Butterfield,	Green,	Tower,
Carpenter,	Lacy,	Webb,
DeLand,	Lane,	Wilder,
French,	McDermid,	Williams,

18

## NAYS.

Mr. Adair,	Mr. Coulter,	Mr. Mulholland,
Backus,	Hazen,	Near,
Baldwin,	Ingersoll,	Strickland,
Briggs,	Jones,	Withey,
Brown,	Monroe,	

14

The question then recurring on the adoption of Mr. Withey's substitute, as amended, the same was lost, by yeas and nays as follows:

## YEAS.

Mr. Backus,	Mr. Gale,	Mr. Owen,
Bailey,	Green,	Webb,
Baker,	Lane,	Withey,
Butterfield,	Near,	

11

## NAYS.

Mr. Adair,	Mr. French,	Mr. Monroe,
Baldwin,	Galloway,	Mulholland,
Briggs,	Hazen,	Stout,
Brown,	Ingersoll,	Strickland,
Carpenter,	Jones,	Tower,
Coulter,	Lacy,	Wilder,
DeLand,	McDermid,	Williams,

21

Mr. Tower moved, as a substitute for the pending resolutions, the preamble, and the first, second and last resolutions of Mr. Withey's substitute;

Which motion did not prevail, the vote thereon being as follows:

## YEAS.

Mr. Tower,	Mr. Withey,
------------	-------------

2



## NAYS.

Mr. Adair,	Mr. DeLand,	Mr. McDermid,
Backus,	French,	Monroe,
Bailey,	Gale,	Mulholland,
Baker,	Galloway,	Near,
Baldwin,	Green,	Owen,
Briggs,	Hazen,	Stout,
Brown,	Ingersoll,	Strickland,
Butterfield,	Jones,	Webb,
Carpenter,	Lacy,	Wilder,
Coulter,	Lane,	Williams, 80

Mr. Gale moved to reconsider the vote by which Mr. Withey's amendment was lost;

Which motion did not prevail.

On motion of Mr. DeLand,

Joint resolutions on the state of the Union,

Were ordered engrossed and placed on the order for third reading, by yeas and nays, as follows :

## YEAS.

Mr. Backus,	Mr. Gale,	Mr. McDermid,
Bailey,	Galloway,	Near,
Baker,	Green,	Strickland,
Baldwin,	Hazen,	Tower,
Briggs,	Ingersoll,	Webb,
Brown,	Jones,	Wilder,
Butterfield,	Lacy,	Williams,
DeLand,	Lane,	Withey,
French,		25

## NAYS.

Mr. Adair,	Mr. Monroe,	Mr. Owen,
Carpenter,	Mulholland,	Stout,
Coulter,		7

The Senate then adjourned.

*Lansing, Friday, January 18, 1861.*

Senate called to order by the President at 10 o'clock.

Prayer by Rev. Mr. Meyer.

Roll called : quorum present.

Leave of absence was granted to Senators Coulter, Hazen, Bailey, Owen and Gale.

Journal read and approved.

PETITIONS PRESENTED.

Mr. DeLand presented the remonstrance of W. Becker and 104 other citizens of Eaton Rapids and vicinity, against the repeal of the charter of the Jackson and Michigan plank road company;

Referred to the committee on incorporations.

Mr. Ingersoll presented the following memorial of the Supervisors of Shiawassee county :

*Whereas*, This board has established a system of swamp drainage, under the act for such purposes, approved Feb. 17, 1857, (compiled laws, p. 444-450,) and

*Whereas*, There is a considerable amount of State swamp land within the bounds of Shiawassee county, which according to present laws could not be assessed for such drainage, therefore,

*Resolved*, That the Senator from this Senatorial District, and our Representative in the Legislature, be requested to use all honorable means for an act, or for a modification of existing laws, so that said State swamp lands may be as liable for taxes for the purpose of drainage as other lands which receive the same benefit.

*Resolved*, That the clerk be instructed to forward a copy of these resolutions to our Senator and Representative in the Legislature.

Referred to the committee on public lands.

By Mr. Wilder: petition of D. G. Slafter and 45 others, asking for an appropriation of swamp lands to build or help build a road from section 23, in town 12 north, of range 6 east, to section 11, in town 10 north, of range 8 east ;

Also, of C. Supee and 30 others for the same ;

Which were referred to the committee on public lands.

By Mr. Carpenter: petition of John Young and 15 others, to change the name of Cynthia Massey to Tinney Young;

Referred to the committee on State affairs.

By Mr. Baker : petition of W. H. H. Van Akin and 16 others, asking to be set back from the village to the town of Hudson;

Referred to the committee on towns and counties.

By Mr. Withey : petition of Alexander W. Dodge and 19 others, citizens of Ionia county, asking a repeal of the personal liberty bills;

Referred to the committee on federal relations.

#### REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary :

The committee on the judiciary, to whom was referred the House bill to extend the time for the collection and return of taxes in the unorganized territory in Manitou county,

Have had the same under consideration, and would respectfully report the same back to the Senate, and recommend its passage.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman*.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole and placed on the general order.

By the judiciary committee :

The committee on the judiciary, to whom was referred House bill No. 14, being

A bill to amend section 4 of an act entitled an act, and supplementary to an act to define the limits, jurisdiction and powers of circuit courts,

Have had the same under consideration, and would respectfully report the same back to the Senate without amendment and recommend its passage.

All which is respectfully submitted.

H. T. BACKUS, *Chairman*.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole, and placed on the general order.

Brown,  
Carpenter,  
DeLand,  
French,

Lacy,  
Lane,  
McDermid,

Strickland,  
Webb,  
Williams,

16

Mr. Carpenter offered the following as a substitute for the original resolution:

*Resolved*, That the law of 1855, commonly called the "Personal Liberty Law," and the law of 1859, in relation to kidnapping, are calculated to impede the efficient execution of the "fugitive slave law," and that they are otherwise unjust, unwise and unconstitutional, and therefore, in the opinion of this Legislature, ought to be repealed.

Mr. DeLand moved the previous question.

The main question being ordered, and the vote taken on the substitute offered by Mr. Carpenter, the same was lost, by yeas and nays, as follows :

## YEAS.

Mr. Adair,

Mr. Coulter,

Mr. Mulholland, 3

## NAYS.

Mr. Backus,

Mr. Gale,

Mr. Near,

Bailey,

Galloway,

Owen,,

Baker,

Green,

Stout,

Baldwin,

Hazen,

Strickland,

Briggs,

Ingersoll,

Tower,

Brown,

Jones,

Webb,

Butterfield,

Lacy,

Wilder,

Carpenter,

Lane,

Williams,

DeLand,

McDermid,

Withey,

French,

Monroe,

29

The question recurring on the original resolution offered by Mr. Ingersoll, the same was not adopted, the vote thereon being as follows :

## YEAS.

Mr. Adair,

Mr. Coulter,

Mr. Mulholland,

Bailey,

Hazen,

Stout,

Baker,

Ingersoll,

Wilder,

Baldwin,

Jones,

Williams,

Briggs,

Monroe,

Withey,

15

## NAYS.

Mr. Backus,	Mr. Gale,	Mr. Near,
Brown,	Galloway,	Owen,
Butterfield,	Green,	Strickland,
Carpenter,	Lacy,	Tower,
DeLand,	Lane,	Webb,
French,	McDermid,	

17

On motion of Mr. French,

The Senate took a recess until 2 o'clock, P. M.

## AFTERNOON SESSION.

The Senate was called to order at 2 o'clock.

Roll called: a quorum present.

## SPECIAL ORDER.

The Senate resumed the consideration of the special order, as in committee of the whole.

After some time thus spent, the President reported that the Senate, as in committee of the whole, had had under consideration,

Joint resolution on the state of the Union,

And had made some amendments thereto;

Which report was accepted.

Mr. Withey offered the following as a substitute therefor: .

*Whereas*, The insurgent State of South Carolina, after seizing the post office, custom house, moneys and fortifications of the Federal Government, has, by firing into a vessel ordered by the government to convey troops and provisions to Fort Sumpter, virtually declared war;

*And whereas*, The forts and property of the United States government in the gulf States have been unlawfully seized, with hostile intentions;

*And whereas*, further, Senators and Congressmen avow and maintain their treasonable acts; therefore

*Resolved by the Senate and House of Representatives of the State of Michigan*, That the Legislature of Michigan, profoundly impressed with the value of the Union, and determined to preserve

Report that they have had the same under consideration, and return the bill to the Senate with amendment, and ask that the same do pass.

H. T. BAOKUS, *Chairman*.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole and placed on the general order.

By the committee on incorporations:

The committee on incorporations, to whom was referred

A bill to repeal the charter of the Jackson & Michigan Plank Road Company, approved April 3, 1848,

And also numerous petitions, remonstrances, and other papers relative to the same subject, respectfully report that they have had the same under consideration. From evidence before the committee, it appeared that the duties and corporate rights of said Jackson and Michigan plank road company are a pending subject of investigation before the judicial tribunals of the State. They therefore report the bill and the accompanying papers back to the Senate, recommend that the bill do not pass, and ask to be discharged from a further consideration of the subject.

JOS. R. WILLIAMS, *Chairman*.

The report was accepted, the committee discharged, and the bill, petitions and remonstrances,

On motion of Mr. Deland,

Referred to the committee on judiciary.

By the committee on incorporations:

The committee on incorporations, to whom was referred, a second time,

A bill to amend an act entitled "an act to provide for the incorporation of railroad companies," approved Feb. 12, 1855,

Respectfully report that they have had the same again under consideration, and recommend that the following proviso may be added as an amendment to section one of said bill: "*And provided, That nothing in this act contained shall be construed to authorize any railroad companies to bridge the St. Clair river,*

or any other navigable waters of the State, nor to consolidate the stock of any railroad companies;" with such amendment they recommend the passage of the same, report it back to the Senate, and ask to be discharged from further consideration of the subject.

JOS. R. WILLIAMS, *Chairman.*

The report was accepted, the committee discharged, the amendment concurred in, and the bill, as amended, ordered to a third reading.

MESSAGES FROM THE OTHER HOUSE.

The President announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, January 17, 1861.* }

*To the President of the Senate :*

SIR:—I am instructed by the House to transmit the following entitled bill :

1st. A bill to extend the time for the collection of taxes in the township of Holland, in the county of Ottawa.

2d. A bill to repeal an act entitled an act to prevent the adulteration of alcoholic liquors, and to punish all persons who shall sell or offer to sell adulterated liquors and other adulterated beverages,

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, the bills read twice, the first named referred to the committee on the judiciary, and the last to the committee on State affairs.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, January 17, 1861.* }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following entitled joint resolution:

A joint resolution relative to the reciprocity treaty of June 5, 1854;

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the joint resolution ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Ingersoll moved that the vote of yesterday, ordering Joint resolution on the state of the Union

To be engrossed for a third reading, be reconsidered.

Mr. Williams moved to lay the motion on the table;

Which motion was lost, by yeas and nays, as follows:

YEAS.

Mr. Brown,	Mr. Green,	Mr. Stout,	
DeLand,	Lacy,	Strickland,	
French,	McDermid,	Williams,	
Galloway,	Near,	Withey,	12

NAYS.

Mr. Adair,	Mr. Butterfield,	Mr. Monroe,	
Backus,	Carpenter,	Mulholland,	
Baker,	Ingersoll,	Tower,	
Baldwin,	Jones,	Webb,	
Briggs,	Lane,	Wilder,	15

The motion to reconsider did not prevail, the vote thereon being as follows:

YEAS.

Mr. Adair,	Mr. Ingersoll,	Mr. Near,	
Baker,	Jones,	Webb,	
Baldwin,	Lane,	Wilder,	
Butterfield,	Mulholland,	Withey,	
Carpenter,			12



## NAYS.

Mr. Backus,  
Briggs,  
Brown,  
DeLand,  
French,

Mr. Galloway,  
Green,  
Lacy,  
McDermid,  
Monroe,

Mr. Stout,  
Strickland,  
Tower,  
Williams,

14

Mr. Ingersoll offered the following:

*Resolved*, That the rules be so amended as to add the following:

**Rule—** In forming a committee of the whole, the President shall leave his chair, and a chairman to preside in committee shall be appointed by the President. Upon all bills committed to a committee of the whole, the bills shall be first read throughout by the Secretary, and then again read and debated by clauses leaving the title or preamble to be last considered. All amendments, noting the page and line, shall be duly entered on a separate paper, as the same shall be agreed to by the committee, and so reported to the Senate. After report, the bill shall again be subject to be debated and amended by clauses, before a question to engross, or an order to third reading shall be taken.

**Rule—** Joint resolutions shall take the same course, and be considered in the same manner as bills.

On motion of Mr. Ingersoll,

The same was laid upon the table.

On motion of Mr. Carpenter, it was

*Resolved*, That the State Printer be required to reduce the number of copies of the daily journal to be furnished to the Senate to five hundred.

Mr. Backus gave notice that on some future day he would ask leave to introduce

A bill authorizing the supreme and circuit courts to appoint their criers;

Also,

A bill to abolish the present distinction of forms of pleadings in civil actions, and simplify the pleadings therein.

Mr. Carpenter gave notice that on some future day he would ask leave to introduce

A bill to change the name of Cynthia Massey.

Mr. Tower gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled an act to amend an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 14th, 1853, and an act amendatory thereto, approved February 12th, 1855, approved February 4th, 1858.

Mr. Bailey gave notice that on some future day he would ask leave to introduce

A bill to provide for granting a new trial in civil causes in courts of record.

Mr. Tower, leave being granted, introduced

A bill to organize the township of Winfield, in the county of Mecosta;

Which was read twice and referred to the committee on towns and counties.

Senate bill, being

A bill to change the name of William Francis Kelley,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays as follows :

#### YEAS.

Mr. Adair,  
Bakus,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,  
DeLand,

Mr. French,  
Galloway,  
Green,  
Ingersoll,  
Jones,  
Lacy,  
Lane,  
McDermid,  
Mulholland,

Mr. Near,  
Stout,  
Strickland,  
Tower,  
Webb,  
Wilder,  
Williams,  
Withey,

26

#### NAYS.

Mr. Monroe,  
Title agreed to.  
Senate bill, being

1

A bill to authorize the sale, by the State Treasurer, of two thousand copies of the compiled laws of the State of Michigan.

Was read a third time and passed, by yeas and nays as follows, a majority of all the Senators elect voting therefor :

## YEAS.

Mr. Adair,	Mr. French,	Mr. Mulholland,
Backus,	Green,	Near,
Baker,	Ingersoll,	Strickland,
Baldwin,	Jones,	Tower,
Briggs,	Lacy,	Webb,
Brown,	Lane,	Wilder,
Butterfield,	McDermid,	Williams,
Carpenter,	Monroe,	Withey,
DeLand,		

25

## NAYS.

0

The title was agreed to.

Senate joint resolution, entitled

Joint resolutions on the state of the Union,

Came up for a third reading, when

Mr. Carpenter moved a call of the Senate ;

Which call being ordered, the roll was called, and Mr. Ingersoll reported absent without leave.

The Sergeant at-Arms was despatched for the absentee.

Mr. Williams moved that further proceedings under the call be suspended, and the absent Senator have leave to appear and make excuse for his absence to the Senate ;

Which motion prevailed.

The joint resolutions on the state of the Union were then read a third time, and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Backus,	Mr. Galloway,	Mr. Near,
Baker,	Green,	Stout,
Baldwin,	Jones,	Strickland,
Briggs,	Lacy,	Tower,
Brown,	Lane,	Webb,
Butterfield,	McDermid,	Wilder,
Carpenter,	Monroe,	Williams,
DeLand,	Mulholland,	Withey,
French,		

24

## NAYS.

Mr. Adair,

1

The title was agreed to.

Senate bill, entitled

A bill to extend the time for the collection of taxes in the townships of Clay, Kimball and Riley, in the county of St. Clair;

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,  
Backus,  
Baker,  
Brown,  
Butterfield,  
Carpenter,

Mr. DeLand,  
French,  
Galloway,  
Green,  
Jones,  
Lacy,

Mr. Monroe,  
Mulholland,  
Near,  
Tower,  
Williams,  
Withey,

18

## NAYS.

Mr. Baldwin,  
Briggs,  
Lane,

Mr. McDermid,  
Stout,  
Strickland,

Mr. Webb,  
Wilder,

3

The title was agreed to.

Senate bill, entitled

A bill to extend the time for the collection of taxes in the townships of Clyde, Columbus and St Clair, in the county of St. Clair,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,  
Backus,  
Baker,  
Baldwin,  
Brown,  
Butterfield,  
Carpenter,  
DeLand,

Mr. French,  
Galloway,  
Green,  
Ingersoll,  
Jones,  
Lacy,  
Lane,

Mr. Monroe,  
Mulholland,  
Near,  
Strickland,  
Tower,  
Webb,  
Withey,

22

## NAYS.

Mr. Briggs,  
McDermid,

Mr. Stout,

Mr. Wilder,

4

Title agreed to.

**Senate bill, entitled**

A bill to change the name of Clarissa Melissa Wing to Clara Barnes,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

**YEAS.**

Mr. Adair,	Mr. DeLand,	Mr. Mulholland,	
Backus,	French,	Near,	
Baker,	Galloway,	Stout,	
Baldwin,	Green,	Strickland,	
Briggs,	Ingersoll,	Tower,	
Brown,	Jones,	Wilder,	
Butterfield,	Lacy,	Williams,	
Carpenter,	McDermid,	Withey,	24

**NAYS.**

Mr. Lane,	Mr. Monroe,	Mr. Webb,	3
-----------	-------------	-----------	---

The title was agreed to.

**THIRD READING.**

Senate bill No. 1, being

A bill to amend an act entitled an act to provide for the incorporation of railroad companies,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

**YEAS.**

Mr. Adair,	Mr. French,	Mr. Mulholland,	
Backus,	Galloway,	Near,	
Baker,	Green,	Stout,	
Baldwin,	Ingersoll,	Strickland,	
Briggs,	Jones,	Webb,	
Brown,	Lacy,	Wilder,	
Butterfield,	Lane,	Williams,	
Carpenter,	McDermid,	Withey,	
DeLand,	Monroe,		26

**NAYS.**

Mr. Tower,	1
------------	---

The title was agreed to, and the bill ordered to take immediate effect, by a vote of two-thirds of said Senators.

## COMMUNICATION FROM THE GOVERNOR.

The President announced a communication from the Governor.

- ♦ On motion of Mr. Ingersoll,  
The Senate went into executive session.  
The executive session closed, and  
The Senate adjourned.

*Lansing, Saturday, January 19, 1861.*

The Senate was called to order at 10 o'clock.

Prayer by the Rev. Mr. McLeod.

Roll called : quorum present.

Absent without leave, Senators Carpenter, McDermid and Webb.

Journal read and approved.

## PETITIONS PRESENTED.

By the President : petition of Albert Miller and 95 others, asking that portions of townships of Blumfield and Zilwaukie, of Saginaw county, be annexed to township of Portsmouth, in Bay county ;

Referred to the committee on towns and counties.

By Mr. Lane : remonstrance of Robert J. Barry and 85 other citizens of Washtenaw county, against the repeal of our personal liberty laws ;

Referred to the committee on federal relations.

## REPORTS OF STANDING COMMITTEES.

By the judiciary committee:

The committee on the judiciary, to whom was referred

A bill to amend an act entitled an act to provide against the recovery of damages done by beasts on lands not enclosed by a lawful fence, approved March 17, 1847, being section 628 of compiled laws,

Have had the same under consideration, and would respectfully report that the questions involved in the consideration of this bill are purely questions of expediency as to what the best

interests of our people require the land owner to provide in the matter of fences, and is a question that more immediately effects the agricultural interest of the State than any other ; your committee therefore report the same back to the Senate, and recommend that it be referred to the committee on agriculture, and that they be discharged from the further consideration of the same.

All which is respectfully submitted.

H. T. BACKUS, *Chairman*.

The report was accepted, the committee discharged, and the bill referred to the committee on agriculture.

By the committee on the judiciary :

The committee on the judiciary, to whom was referred House bill, entitled

A bill to extend the time for the collection of taxes in the township of Holland, in the county of Ottawa,

Have had the same under consideration and would respectfully report that in section 3 of said bill, they find the following provision : "And all collections made by said treasurer prior to the passage of this act are hereby legalized." In the opinion of your committee such a provision in any bill of this nature is not only inexpedient and unsafe, but to say the least, of very questionable competency. If the collector, in the discharge of his duty, has conformed to the requirements of law, no such provision is necessary ; if otherwise, he has violated the law. Even were it competency beyond a question, it would be extremely unwise for the legislature to permit itself blindly to attempt the legalizing of all the acts of such officer, which might be a tissue of wrongs. Your committee recommend the striking out of the third section of said bill, and substitute therefor another section to stand as the third, which they herewith report, and with such amendment they recommend that said bill do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman*.

The report was accepted, the committee discharged, the

amendments concurred in, and the bill, as amended, ordered to a third reading.

By the committee on finance :

The committee on finance, to whom was recommitted

A bill to provide for the payment of members and officers of the Legislature, for the year 1861,

With instructions to consider whether the employees, or any of them, of the respective Houses, are entitled to mileage,—beg leave to report that no uniformity of action seems to have existed respecting allowance of mileage to the secretaries, clerks or other employees of the Legislature, by the Board of Auditors, and your committee find no authority of law for such allowance, and accordingly return the bill to the Senate without amendment, and ask to be discharged from the further consideration of the same.

H. P. BALDWIN, *Chairman.*

Report accepted, the committee discharged, and the bill ordered to a third reading.

MESSAGE FROM THE OTHER HOUSE.

The President announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, January 18, 1861.* }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following entitled bill :

A bill to authorize fractional school district number 1, of the townships of Shelby and Sterling, in the county of Macomb, to issue bonds,

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*



The message was laid on the table, and the bill ordered enrolled.

Also the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, January 19, 1861.* }

*To the President of the Senate :*

SIR:—I am instructed to transmit to the Senate the following joint resolution, entitled

Joint resolution relative to the state of the Union:

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the joint resolution read a first and second time.

Mr. Stout moved that the joint resolution be referred to the committee on federal relations, with instructions to substitute the joint resolutions of the Senate on the same subject, and report the same back to the Senate;

Which motion prevailed.

#### MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Backus, it was

*Resolved*, That the committee on the judiciary be and they are hereby authorized to employ a clerk, at a compensation of not to exceed three dollars per day.

Mr. Backus gave notice that he would ask leave on some future day to introduce

A bill authorizing the county clerks to appoint more than one deputy;

Also,

A bill to authorize the signing of decrees in chancery, and records and journals, by a judge other than the one who heard and determined the case or held the court ;

Also,

A bill to regulate the trials by jury, in case of the inability of the whole panel to attend, from death, sickness or other inability.

Mr. Backus, previous notice having been given, and leave being granted, introduced

A bill to authorize the circuit and supreme courts to appoint a crier ;

Which was read twice, ordered printed, and referred to the committee on the judiciary.

Mr. Backus, unanimous consent being given, introduced

A bill to amend sections 3520, 3521, and 3522, of chapter 115, of the compiled laws, concerning the abatement and revival of suits in chancery ;

Which was read twice, ordered printed, and referred to the committee on the judiciary.

Mr. French, leave being granted, introduced

A bill to consolidate, revise, and amend the several acts incorporating the trustees of the Wesleyan Seminary at Albion, and the acts amendatory thereto ;

Which was read twice, ordered printed, and referred to the committee on public instruction.

Mr. DeLand, leave being granted, introduced

A bill to amend section 93 of an act to provide for holding general and special elections, approved June 27, 1857, relative to the fees of county clerks and district canvassers, (compiled laws, paragraph 117.)

Which was read twice, and referred to the committee on State affairs.

On motion of Mr. Briggs, it was

*Resolved*, That the Secretary of State be requested to furnish the committee on printing a statement of the population of the State by townships, as shown by census returns recently made by authority of Congress, and filed in his office.

Mr. Tower, leave being granted, introduced

A bill to amend an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, ap-

proved February 14, 1853, and an act amendatory thereto, approved February 12, 1855, approved February 4, 1858 ;

Which was read twice and referred to the committee on the judiciary.

On motion of Mr. Wilder,

The committee of the whole was discharged from the consideration of house bill number 12, being

A bill to provide for the collection and return of taxes by township treasurers in newly organized counties, in certain cases,

And the same was ordered to a third reading.

Mr. Whitley gave notice that leave would be asked on some future day, to introduce a

Joint resolution to authorize the Auditor General to draw his warrant on the State Treasurer to meet the appropriation made by act No 147 of the session laws of 1857.

Mr. French gave notice that on some future day he would ask leave to introduce

A bill to preserve the purity of elections.

Mr. Coulter gave notice that on some future day he would ask leave to introduce

A bill authorizing the transfer by the board of control, of a grant of land made to this State by an act of Congress, passed June 3, 1856, to aid in the construction of a railroad from Marquette, on Lake Superior, to the Wisconsin State line, and the re-location of the same.

Mr. Ingersoll moved to take from the table the resolution relative to an amendment of the rules of the Senate, offered yesterday;

Which motion did not prevail.

Mr. Stout moved that the committee on public instruction be instructed to consider whether the two mill tax, authorized to be levied for school purposes, be not larger than necessary, and if so, to report by bill or otherwise ;

Which motion prevailed.

## THIRD READING.

House bill, entitled

A bill to extend the time for the collection of taxes in the township of Holland, in the county of Ottawa,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Mulholland,	
Backus,	French,	Near,	
Baldwin,	Galloway,	Strickland,	
Briggs,	Green,	Tower,	
Brown,	Jones,	Wilder,	
Butterfield,	Lacy,	Withey,	
Coulter,	Monroe,		20

## NAYS.

Mr. Lane,	Mr. Stout,	2
-----------	------------	---

The title was agreed to, and the bill ordered to take immediate effect by the vote of two-thirds of all said Senators.

Senate bill No. 6, being

A bill to provide for the payment of members and officers of the legislature of 1861,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Backus,	Mr. Coulter,	Mr. Mulholland,	
Bailey,	French,	Near,	
Baldwin,	Lacy,	Tower,	
Briggs,	Lane,	Wilder,	
Brown,	McDermid,	Withey,	
Butterfield,	Monroe,		17

## NAYS.

Mr. DeLand,	Mr. Ingersoll,	Mr. Stout,	
Galloway,	Jones,	Strickland,	
Green,			7

The title was agreed to.

House bill, No. 12, being

A bill to provide for the collection and return of taxes by township treasurers in newly organized counties in certain cases.

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Monroe,
Backus,	French,	Mulholland,
Baker,	Galloway,	Near,
Baldwin,	Green,	Stout,
Briggs,	Ingersoll,	Tower,
Brown,	Jones,	Wilder,
Butterfield,	Lacy,	Williams,
Coulter,	Lane,	Withey,

24

## NAYS.

Mr. Strickland,	1
-----------------	---

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of said Senators.

Mr. Jones moved, the order of business being suspended, that the vote by which was passed Senate bill No. 6, being

A bill to provide for the payment of members and officers of the legislature of 1861,

Be re-considered ;

Which motion prevailed.

Mr. Jones, with the consent of the Senate, moved to amend the second section of the bill by inserting, in the fifth line, immediately after the word "each," the words "for the first forty days;"

Which motion prevailed.

The bill, thus amended, was then passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Backus,	Mr. French,	Mr. Near,
Baker,	Green,	Strickland,
Baldwin,	Ingersoll,	Tower,
Briggs,	Jones,	Wilder,
Brown,	Lacy,	Williams,
Butterfield,	Lane,	Withey,
Coulter,	Monroe,	

20

## NAYS.

Mr. Adair,	Mr. Galloway,	Mr. Stout,
DeLand,	Mulholland,	

5

The title was agreed to, and the bill ordered to take immediate effect, by the vote of two-thirds of all of said Senators.

On motion of Mr. Tower,

The order of business was suspended, and

The President announced the following

MESSAGE FROM THE OTHER HOUSE:

HOUSE OF REPRESENTATIVES, }  
Lansing, January 19, 1861. }

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following bill, entitled

A bill to legalize the tax roll of the township of Ionia, in the county of Ionia, and to authorize the collection of the same,

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, the bill read twice, and

On motion of Mr. Tower,

The rules requiring the second and third reading to be on different days was suspended, and the bill was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

YEAS.

Mr. Adair,  
Backus,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Coulter,

Mr. DeLand,  
French,  
Galloway,  
Green,  
Ingersoll,  
Jones,  
Lacy,  
Lane,

Mr. Mulholland,  
Near,  
Stout,  
Strickland,  
Tower,  
Wilder,  
Williams,  
Withey, 24

NAYS.

Mr. Monroe,

1

The title was agreed to, and the bill ordered to take immediate effect, by the vote of two-thirds of all of said Senators.

Mr. Ingersoll, the order of business being suspended, made the following report :

The committee on federal relations, to whom were referred the House joint resolutions relative to the state of the Union, with instructions, beg leave to report the same back, and recommend that the following resolutions be substituted therefor:

JOHN N. INGERSOLL, *Chairman.*

JOINT RESOLUTIONS on the state of the Union.

*Whereas*, A momentous crisis has arisen in our national history, and citizens of several of the States of the Union have appealed to the right of revolution, for the redress of assumed grievances, and by ordinances of secession, by the seizure of national forts, arsenals, public lands, public buildings and vessels, and by other hostile acts have committed treason, and have declared war, therefore

*Resolved by the Senate and House of Representatives of the State of Michigan*, That the constitution of the United States, and all laws of Congress in pursuance thereof, are the supreme law of the land.

*Resolved*, That the Union provided for by that constitution was designed to be perpetual, and to secure the blessings of liberty to the people of the United States forever.

*Resolved*, That there is no method for a State or the citizens of a State, to escape the obligations imposed by the constitution, except by and through an amendment to that instrument.

*Resolved*, That we do hereby pledge the power and resources of the State of Michigan for the maintenance of the authority of the government against any attempt to subvert it, and the Governor is hereby authorized to tender to the President of the United States, the military force of the State to aid in the execution of the laws, and maintaining the integrity of the constitution.

*Resolved*, That we extend our thanks to the patriotic men

who in civil or military stations, or as private citizens, have manfully resisted the theats and seductions of those who are endeavoring to destroy this Union, and that we will aid them in maintaining it inviolate.

*Resolved*, That Michigan is now, as she always has been, entirely loyal to the constitution which has secured to a great and powerful nation so large a measure of prosperity at home and renown abroad, and in order to maintain the Union, is prepared to make any sacrifice except self-respect, honor, justice and constitutional rights.

*Resolved*, That the Governor be respectfully requested to transmit authenticated copies of these resolutions to the President of the United States, to our Senators and Representatives in Congress, and to the Governors of the several States of the Union.

The report was accepted, the committee discharged, and the joint resolutions were laid on the table.

On motion of Mr. Ingersoll,

The Senate went into executive session.

The executive session closed.

Senators Ingersoll, Webb, Carpenter and McDermid were severally granted leave of absence until Tuesday next.

The Senate then adjourned.

---

*Lansing, Monday, January 21, 1861.*

Senate called to order by the President at 10 o'clock.

Prayer by Rev. Mr. Meyer.

Roll called: quorum present.

Journal read and approved.

**PETITIONS PRESENTED.**

By Mr. Strickland: remonstrance of S. H. Pennington and 70 others, against the change of the boundaries of counties;

Referred to the committee on towns and counties.

By Mr. Stout: petition of O. F. Wisner and 170 others, citi-



zens of Oakland county, praying for amendment of act No. 198, session laws of 1859, so as to prevent shooting and spearing fish in the inland lakes and rivers during certain seasons of the year;

Referred to the committee on State affairs.

By Mr. Jones: petition of O. W. Otisbee and 17 others, including 9 of the supervisors of Cass county, in reference to fishing in certain counties in this State with seines and other kinds of nets;

Also, petition for the prevention of obstructing navigable rivers and streams in the State of Michigan;

Which were referred to the committee on State affairs.

#### REPORTS OF STANDING COMMITTEES.

By the judiciary committee :

The committee on the judiciary, to whom was referred

A bill to repeal an act entitled an act to amend chapter 23 of the revised statutes of 1846, relative to highway taxes, approved April 2, 1850,

Have had the same under consideration, and would respectfully report that the repeal of this act simply places the commissioners of highways of the counties of Chippewa, Marquette, Houghton, Schoolcraft and Ontonagon, in the Upper Peninsula, as to the time of the meeting of the commissioners of highways for the purpose of assessing highway taxes, under the general provisions of the law in this subject, governing other parts of the State, which were by the provisions of the act repealed by the bill in question, made inapplicable in those counties for reasons existing at the time of its passage, growing out of sparsely populated condition of the country, and which no longer now exist, but the convenience and welfare of the country now require an earlier assessment of highway labor. Your committee therefore report back the bill, and recommend its passage.

All which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the judiciary committee :

The committee on the judiciary, to whom was referred House bill No. 5, being

A bill to facilitate the commencement of suits against joint defendants residing in several counties,

Have had the same under consideration, and would respectfully report that the provisions of the bill create a system entirely at variance with the past or present policy of the law of the State, which does and ever has sought to bring the administration of justice as near home as possible to every citizen ; by the provisions of this bill, a citizen in one extreme of the State might be compelled to go to the other extreme of the State to defend himself and property at the caprice of the party suing, and indeed might be compelled to meet the same matter in different parts of the State at the same time. In the opinion of your committee, the system contemplated by the present bill would be extremely liable to abuse, and expose our citizens to be harrassed with litigation away from home without any corresponding good, and thus in every form of civil action both in tolt and contract. Your committee therefore report the bill back to the Senate, and recommend that it do not pass.

All which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to repeal the charter of the Jackson and Michigan plank road company, together with certain petitions and remonstrances relating thereto,

Respectfully report that they have had said bill under consideration, and have inquired into the single question, whether, pending legal proceedings in the supreme court to forfeit the chartered rights of said company, the Legislature can rightfully repeal the act to incorporate such company. Your committee have no hesitation in saying the rights and powers of the Leg-

islature are not in the slightest affected in consequence of any pending question in the legal tribunals of the State, and can, therefore, within the terms of the act granting the chartered rights in question, repeal the act incorporating said plank road company.

H. T. BAOKUS, *Chairman*.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole, and placed on the general order.

By the committee on public lands :

The committee on public lands, to whom was referred

A bill to amend an act entitled an act disposing of certain grants of land made to the State of Michigan, for railroad purposes, by an act of Congress, approved June 8, 1856, approved February 14, 1857,

Report that they have had said bill under consideration, and return herewith a substitute therefor, the adoption of which is respectfully asked.

All which is respectfully submitted.

B. G. STOUT, *Acting Chairman*.

The report was accepted, the committee discharged, the substitute adopted, read twice, ordered printed, referred to the committee of the whole and placed on the general order.

By the committee on incorporations:

The committee on incorporations, to whom was referred

A bill to amend act No. 248, of the laws of 1859, entitled an act to regulate fire, marine, life and health insurance companies, and their agents, associations, partnerships and individuals doing fire, marine, life and health insurance business, not incorporated by the State of Michigan,

And also the petition of E. G. D. Holden and 18 others on the same subject, beg leave respectfully to report that they have had the same under consideration. The committee find that by a rigid and literal interpretation of the said law by the Secretary of State, great injustice is done to such companies

as did not comply with the provisions of the law in question within a very limited time after its passage.

Your committee also discover that while the statements of the several insurance companies embracing the privileges of the act are annual only, the fire and marine insurance companies may insure for much longer periods of time, parties being thus insured by companies whose condition they may have no means of ascertaining beyond a single year. They, therefore, believe that policies of such insurance companies should not be allowed to extend over a single year.

Your committee also find that while the insurance companies transacting business under this act, enjoy all the securities to persons and property which the judicial and municipal institutions of the State afford, they pay no taxation. They therefore deem it but an act of simple justice that a specific tax be imposed on all insurance companies transacting business under the act in question.

Your committee therefore report a bill embracing the objects contemplated by this report. They recommend its passage. They return the papers referred to them, also, and ask to be discharged from the further consideration of the subject.

JOS. R. WILLIAMS, *Chairman.*

The report was accepted, the committee discharged, the substitute adopted, read twice, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on enrolled bills :

The committee on enrolled bills, to whom was referred

Joint resolution relative to the reciprocity treaty, of June 5th, 1854;

Also,

A bill to authorize fractional school district number 1, of the townships of Shelby and Sterling, in the county of Macomb, to issue bonds,

Respectfully report that they have had the same under consideration, and find them correctly enrolled.

H. C. BRIGGS, *Chairman.*

The report was accepted, and the joint resolution and bill were signed and presented to the Governor.

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Backus gave notice that on some future day he would ask leave to introduce

A bill to amend section 837 of the compiled laws in relation to using assessment rolls as evidence in courts of justice.

On motion of Mr. Stout,

Joint resolutions on the state of the Union,

Which the Senate had substituted for the joint resolutions of the House on the same subject,

Were taken from the table, and ordered to a third reading.

Mr. Withey, leave being granted, introduced

A bill to amend section 8563 of the compiled laws of 1857, relative to proceedings in chancery for the foreclosure of mortgages ;

Which was read twice and referred to the committee on the judiciary.

#### THIRD READING.

Senate bill, entitled

A bill to repeal an act entitled an act to amend chapter 23 of the revised statutes of 1846, relative to highway taxes, approved April 2, 1850,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

#### YEAS.

Mr. Adair,  
Backus,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
DeLand,

Mr. French,  
Galloway,  
Green,  
Jones,  
Lacy,  
Lane,  
Monroe,

Mr. Mulholland,  
Near,  
Strickland,  
Tower,  
Wilder,  
Williams,  
Withey,

22

#### NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by the vote of two-thirds of all of said Senators.

The Senate substitute for House joint resolution entitled  
Joint resolutions relative to the state of the Union,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Backus,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
DeLand,  
French,

Mr. Galloway,  
Green,  
Jones,  
Lacy,  
Lane,  
Monroe,  
Mulholland,

Mr. Near,  
Stout,  
Strickland,  
Tower,  
Wilder,  
Williams,  
Withey,

22

## NAYS.

Mr. Adair,

1

The title was amended so as to read "joint resolutions on the state of the Union."

## GENERAL ORDER.

The Senate went into committee of the whole on the general order,

Senator Tower in the chair;

After some time spent therein, the committee rose, and through their chairman reported that it had had several bills under consideration, to which amendments had been made, in which the concurrence of the Senate was asked, and the committee asked leave to sit again.

The report was accepted, the amendments concurred in, in gross, and the committee granted leave to sit again.

Of the bills reported by the committee of the whole,

A bill making appropriations for the salaries of the State officers, for the years 1861 and 1862,

Was ordered printed, and again placed on the general order; and the bill entitled

An act to limit the charge of the circuit judges, and to compel them to reduce the same to writing in certain cases,

All of which, after the enacting clause had been stricken out by the committee, was laid on the table.

The several other bills considered in committee of the whole, and entitled as follows:

A bill to compel the service of process by certain ministerial officers;

A bill to amend sections 4839, 4840, 4841 and 4842 of the compiled laws, in relation to evidence;

A bill to amend sections 7, 18 and 21, of chapter 12, of the revised statutes, the same being sections 154, 160 and 173 of compiled laws;

A bill to provide for the restoration of lost records, papers and other proceedings in courts of record;

Were ordered engrossed for a third reading.

Mr. Coulter, by unanimous consent, introduced

A bill authorizing the transfer by the board of control, of a grant of land made to this State by an act of Congress, passed June 3, 1856, to aid in the construction of a railroad from Marquette, on Lake Superior, to the Wisconsin State line, and the re-location of the same,

Also,

A bill to amend an act entitled an act to provide for the drainage and reclamation of swamp lands by means of State roads and ditches, approved February 12, 1859, by adding thereto sections 13, 14, 15, 16, 17 and 18;

Which was read twice, and referred to the committee on public lands.

On motion,

The Senate adjourned.

---

*Lansing, Tuesday, January 22, 1861.*

The Senate was called to order at 10 o'clock, A. M.

Roll called : quorum present.

Journal of yesterday read and approved.

PETITIONS PRESENTED.

By Mr. DeLand : petition of David Palmer, E. B. Chapman

and 24 others, citizens of Jackson county, for the repeal of the Jackson and Michigan plank road company ;

Also, petition of A. Ingals and 86 others, citizens of Jackson and Ingham counties, for the same ;

Which petitions were laid on the table.

By Mr. Tower : petition of Samuel Stewart, John Williams and 50 others, for an appropriation of swamp lands and money on the State road leading from Greenville, in the county of Montcalm, to Big Rapids, in the county of Mecosta ;

Referred to the committee on roads and bridges.

By Mr. Lane : petition of H. P. Tappan, James R. Boise and 40 others, for the establishment of the office of county superintendent of schools ;

Also, petition of H. P. Tappan, George P. Williams, James R. Boise, L. Fasquelle, Alfred DuBoise and 30 others, for district libraries, and for a regular appropriation from the two mill tax for the purchase of books therefor ;

Which were referred to the committee on public instruction.

#### REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred Senate bill No. 23, being

A bill to amend sections 3520, 3521 and 3522, of chapter 115, of the compiled laws, concerning the abatement and revivor of suits in chancery,

Have had the same under consideration, and would respectfully report the same back to the Senate with the recommendation that it do pass.

All which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on the judiciary:

The judiciary committee, to whom was referred

A bill to amend section No. 3563, of the compiled laws of



1857, relative to proceedings in chancery for the foreclosure of mortgages,

Have had the same under consideration, and would respectfully report the same back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted,

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill referred to the committee of the whole and placed on the general order.

By the judiciary committee :

The committee on the judiciary, to whom was referred Senate bill No. 21, being

A bill to authorize the supreme and circuit courts to appoint a crier,

Have had the same under consideration, and would respectfully report the same back to the Senate, with the recommendation that it do pass.

All which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary :

The committee on the judiciary, to whom was referred

A bill to amend an act entitled an act to amend an act to provide for assessing property at its true value, for levying and collecting taxes thereon, approved, Feb. 14, 1853, and an act amendatory thereto, approved February 12, 1855,, approved February 4, 1858,

Have had the same under consideration, and would respectfully report that the general object of this bill is to provide an easy and speedy remedy for the testing of tax titles, which your committee highly approve, and is intended to serve as a substitute for those provisions of the amended act which contem-

plated a determination of questions of this character by circuit court commissioners, but has, by the supreme court, very properly, in the opinion of your committee, been held unconstitutional. But by the provisions of the bill referred to them, it was left somewhat questionable whether any party but the one holding the tax-title could test the same by the proceedings therein. This defect your committee propose to amend by placing it beyond a doubt that either the party holding the tax-title or the one adverse to it, may institute the proceedings, and to this end they have reported an amendment.

The bill referred to them purports to suspend or even amend the limitation of two years created by the act to be amended, although that limitation has commenced to run or even become consummated by the lapse of time, and create a new period of limitation, but for the same length of time to commence from the passage of the bill referred to your committee. This provision, in the opinion of your committee, is subject to grave objection, and among others, of constitutional competency in attempting to divest interest already consummate by lapse of time. Your committee, therefore, recommend the striking out of this provision, and for the whole bill referred to them they herewith report, together with the bill referred, a substitute embracing all the truly beneficial features of the bill referred, and recommend that the bill referred to them do not pass, but that the substitute do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman*.

The report was accepted, the committee discharged, the substitute for the bill read twice, and the bill and substitute laid on the table and ordered printed.

#### MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Baldwin,  
Senate bill No. 12, being

A bill to amend section 2033 of the compiled laws, relative to gifts, bequests and legacies to religious societies,

Was taken from the table, referred to the committee of the whole, and placed on the general order.

Mr. Brown gave notice that he would ask leave on some future day to introduce

A bill to amend an act entitled an act to amend an act entitled an act to provide a military fund in aid of the volunteer uniformed militia, approved February 14, 1859.

Mr. Baker gave notice that on some future day he would ask leave to introduce

A bill to amend act No. 187, of the session laws of 1859, being a law regulating proceedings in courts of probate.

Mr. Backus, pursuant to notice, leave being granted, introduced

A bill to provide for the signing of decrees, records, and journals of courts of record,

Which was read twice and referred to the committee on the judiciary.

Mr. Backus, leave being granted, introduced

A bill to facilitate trials and other proceedings by jury;

Which was read twice, and referred to the committee on the judiciary.

Mr. Backus, leave being granted, introduced

A bill to amend section 837 of the compiled laws;

Also,

A bill to amend sections 404 and 405 of the compiled laws, being section 63 and 64 of chapter 10, enabling county clerks to appoint deputies;

Which bills were read twice, and referred to the committee on the judiciary.

Mr. Backus gave notice that on some future day he would ask leave to introduce

A bill to authorize judges of probate to license executors and administrators and guardians to mortgage as well as sell the estate of deceased persons and wards, under certain limitations.

Mr. Coulter leave being granted, introduced

A bill compelling mining companies in the Upper Peninsula

of Michigan, to file with the county treasurer of the county in which they are doing business, a list of their stockholders, and the amount of the company's indebtedness ;

Which was read twice, and referred to the committee on incorporations.

Mr. Baker, leave being granted, introduced

A bill to authorize the granting of new trials ;

Which was read twice, and referred to the committee on the judiciary.

Mr. Withey, leave being granted, introduced

A joint resolution to authorize the Auditor General to draw his warrant on the State Treasurer to meet the appropriation made by act No. 147, of the session laws of 1857 ;

Which was read twice and referred to the committee on the judiciary.

#### THIRD READING.

House bill No. 6, entitled,

A bill to compel the service of process by certain ministerial officers,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

#### YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Mulholland,	
Backus,	Gale,	Owen,	
Baker,	Galloway,	Stout,	
Baldwin,	Green,	Strickland,	
Briggs,	Jones,	Tower,	
Brown,	Lacy,	Williams,	
Butterfield,	Lane,	Withey,	
Coulter,	Monroe,		23

#### NAYS.

0

The title was agreed to.

House bill No. 4, entitled

A bill to provide for the restoration of lost records, papers or other proceedings in courts of record,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays as follows :

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Mulholland,	
Bakus,	Gale,	Owen,	
Baker,	Galloway,	Stout,	
Baldwin,	Green,	Strickland,	
Briggs,	Jones,	Tower,	
Brown,	Lacy,	Williams,	
Butterfield,	Lane,	Withey,	
Coulter,	Monroe,		23
	NAYS.		0

The title was agreed to.

Senate bill No. 13, entitled

A bill to amend sections seven, thirteen and twenty-one, of chapter twelve, of the revised statutes, the same being sections one hundred and fifty-four, one hundred and sixty, and one hundred and seventy-three, of compiled laws,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Mulholland,	
Backus,	Galloway,	Owen,	
Baker,	Green,	Stout,	
Baldwin,	Jones,	Strickland,	
Briggs,	Lacy,	Tower,	
Brown,	Lane,	Williams,	
Butterfield,	Monroe,	Withey,	
Coulter,			22
	NAYS.		0

The title was agreed to.

Senate bill No. 11, entitled

A bill to amend sections 4339, 4340, 4341 and 4342 of the compiled laws,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. Coulter,	Mr. Monroe,
Backus,	Gale,	Owen,
Bailey,	Galloway,	Stout,
Baker,	Green,	Strickland,
Baldwin,	Jones,	Tower,

Briggs,  
Brown,  
Butterfield,

Lacy,  
Lane,

Williams,  
Withey,

22

### NAYS.

Mr. DeLand,

Mr. Mulholland,

2

On motion of Mr. Withey,

The title was amended, by adding thereto the following :  
"in relation to the competency of witnesses and examination of  
parties, in certain cases ;" and, as thus amended, agreed to.

### GENERAL ORDER.

The Senate went into committee of the whole on the general  
order,

Mr. Strickland in the chair ;

After some time spent thereon, the committee rose and through  
their chairman, made the following report :

*Mr. President* : The committee of the whole have had under  
consideration House bill, No. 2, entitled

A bill to amend section 44, of chapter 65, of the revised stat-  
utes of 1846, (comp. laws, vol. 2, sec. 2763,)

To the title of which an amendment was made ;

Also,

House bill No. 14, entitled

A bill to amend section 4, of an act entitled an act supplemen-  
tary to an act to define the limits, jurisdiction and powers of  
Circuit Courts, approved April 8, 1851, and to repeal an act  
supplementary to said act, aproved June 27, 1851, which act  
hereby amended was approved February 16, 1853, being section  
3438 of compiled laws,

All after the enacting clause of which was stricken out ;

Also,

A bill to amend chapter 3836 of the compiled laws,

To which no amendment was made ;

And the committee ask the concurrence of the Senate in the  
amendments made thereto, and recommend the passage of all  
said bills, except the one all of which after the enacting clause  
has been stricken out.

The committee have also had under consideration Senate bill No. 9, entitled

A bill to repeal the charter of the Jackson & Michigan Plank Road Company, approved April 3d, 1848,

In which they have made some progress, and report the same back with the recommendation that it be referred to the committee on roads and bridges, with instruction to take proofs.

All of which is respectfully submitted.

R. STRICKLAND,

*Chairman of the Committee.*

The report was accepted, committee discharged, the recommendations of the committee concurred in, in gross, and the bills, the passage of which was recommended by the committee, placed on the order of third reading.

On motion of Mr. DeLand, it was

*Resolved*, That the committee on roads and bridges be authorized to send for persons and papers and to take such proofs in regard to the repeal or violation of the charter of the Jackson and Michigan plank road company as they may deem necessary.

The Senate then adjourned.

---

*Lansing, Wednesday, January 23, 1861.*

The President called the Senate to order at 10 o'clock A. M.

Prayer by the Rev. Mr. Potter.

Roll called : quorum present.

Mr. Baldwin rose to a question of privilege.

PETITIONS PRESENTED.

By Mr. DeLand : petition of R. H. Anderson and 42 others, citizens of Jackson county, for the repeal of the Jackson and Michigan Plank Road company ;

Also, petition of E. Allen and 68 others, of the same county, for the same ;

Also, petition of S. O. Russell and 108 others, of Jackson and Ingham counties for the same ;

Also, petition of James Burns and 92 others, citizens of Jackson, Eaton and Ingham counties, for the same;

Which were severally referred to the committee on roads and bridges.

By Mr. Owen : petition of Hiram Bailey, Joseph Jones, Sam'l James, and 82 others, for discontinuing public highways in the township of Troy, in Oakland county ;

Also, of A. C. Daniels, A. Butler, D. B. Chatfield and 82 others, for the same ;

Also, of G. E. Adair, John Fowler, William Summers and 26 others, for the same ;

Also, of Peter D. Lynch, Jacob Summers, and 8 others, for same ;

Also, of Samuel Jennings, William Gillett, Archibald Duncan, and 14 others, for the same ;

Also, affidavit of Jacob Summers of the township of Troy, relative to the same ;

Also, memorial of Stephen Shriver, relative to the same ;

Which were severally referred to the committee on roads and bridges.

By Mr. Strickland : petition of Stephen Pearl, Geo. R. Stark and 140 others, for a law establishing a State road from the village of Greenbush, in the county of Clinton, to St. Charles, in the county of Saginaw.

Referred to the committee on roads and bridges.

By Mr. Tower: petition of W. B. Wells, A. Williams, A. F. Carr, H. Rich, and 153 others, electors of Ionia county, to amend the constitution, to extend the elective franchise, and afford equal civil rights to all classes of citizens.

Referred to committee on privileges and elections.

By Mr. Bailey: petition of N. H. Walbridge, A. A. Goodyear, A. W. Atkins and 51 others, praying for the enactment of a law authorizing the election of superintendents of common schools.

Referred to the committee on public instruction.

By Mr. McDermid: petition of John Monross and 50 others,



praying for the repeal of the law which prohibits the use of sub-nets in the interior lakes of the State.

Referred to the committee on State affairs.

REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary :

The committee on the judiciary, to whom was referred

A bill to amend section 837, of the compiled laws,

Have had the same under consideration, and would respectfully report the same back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the same committee:

The committee on the judiciary, to whom was referred

A bill to provide for the signing of decrees of record and journals of courts of record,

Have had the same under consideration, and would respectfully report the same back to the Senate, with the recommendation that it do pass.

All which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the same committee :

The judiciary committee, to whom was referred

A bill to facilitate in trials and other proceedings by jury ;

Have had the same under consideration, and would respectfully report the same back to the Senate, and recommend that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the same committee :

The committee on the judiciary, to whom was referred

A bill to amend sections 404 and 405 of the compiled laws, being sections 63 and 64 of chapter 10, enabling county clerks to appoint deputies ;

Have had the same under consideration, and would respectfully report the same back to the Senate, and recommend that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the same committee :

The judiciary committee, to whom was referred the resolutions of the supervisors of the county of Kalamazoo, asking that the law may be so amended that the board of supervisors of the several counties may fix the salaries of the judges of probate of the several counties, and also the remonstrance of H. G. Wells and others, remonstrating against any such change;

Have had the same under consideration, and would respectfully report, that the law now asked to be changed has as yet in fact had no operation so as to exhibit the practical working of the same ; and indeed, so early a change, before any practice has been had, would, aside from any other consideration, in the opinion of your committee be inexpedient, inasmuch as the former system was by our people considered very objectionable, as making this branch of our judicial system onerous and expensive to estates. But your committee are perfectly agreed on one thing—that however desirable the change asked, or any other might be, it is at present, for any practical purposes, under a fair construction of existing clauses in the

constitution, beyond the reach of the Legislature by the operation of the positive provisions of the constitution, that prohibits all Legislative interference with the salaries of judges during the term for which they are elected. This provision prevents any change in this matter for the next four years, before which time in the ordinary course of things, another Legislature will have set, when, if the present provision shall be found objectionable, they can be then changed with full experience of the working of the present system, and better able to provide a new one, if such change should then be deemed desirable. Your committee, therefore, report back the resolution and remonstrance, and recommend that no action be had on the subject, and ask to be discharged from the further consideration of the matter.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

Report accepted, committee discharged, and the resolution and remonstrance laid on the table.

By the committee on State affairs :

The committee on State affairs, to whom was referred

A bill to amend sec. 93 of an act to provide for holding general and special elections, approved June 27, 1851, relative to the fees of county clerks and district canvassers,

Respectfully report that they have had the same under consideration, and herewith return it to the Senate, with the recommendation that it do pass.

BYRON G. STOUT, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole and placed on the general order.

By the committee on towns and counties:

The committee on division of towns and counties, to whom was referred petition of E. R. Ellenwood and 24 others; also,

A bill to organize the township of Winfield, in the county of Mecosta,

Respectfully report that they have had the same under consideration, and have amended said bill by striking out section 2 and substituting a new section therefor, ask the concurrence of the Senate in said amendment, recommend that the amended bill do pass, and ask to be discharged from the further consideration thereof.

CHARLES V. DELAND, *Chairman.*

Report accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on incorporations :

The committee on incorporations, to whom was referred

A bill compelling mining companies in the Upper Peninsula of Michigan, to file with the county treasurer of the county in which they are doing business, a list of their stockholders, and the amount of the indebtedness of the companies,

Have had the same under consideration, and respectfully report the bill back to the Senate without any but verbal amendments, recommend the passage of the same, and ask to be discharged from the further consideration of the subject.

JOS. R. WILLIAMS, *Chairman.*

The report accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

#### MESSAGES FROM THE OTHER HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, January 23, 1861. }

*To the President of the Senate:*

SIR:—I am instructed by the House to return the following joint resolution, entitled

A joint resolution on the state of the Union ;

Which the House has amended by substituting therefor the accompanying joint resolution, entitled

A joint resolution relative to the state of the Union ;

In the passage of which, as amended by the substitute, the

House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table.

Mr. Lane moved that the Senate concur in the substitute of the House;

Which motion did not prevail, the following being the vote thereon:

YEAS.

Mr. Baker,	Mr. Jones,	Mr. Lane,	
DeLand,	Lacy,		5

NAYS.

Mr. Adair,	Mr. Coulter,	Mr. Owen,	
Backus,	Gale,	Stout,	
Bailey,	Galloway,	Strickland,	
Baldwin,	Green,	Tower,	
Briggs,	Ingersoll,	Williams,	
Brown,	Monroe,	Withey,	
Butterfield,	Mulholland,		20

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, January 23, 1861.* }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following entitled bill:

A bill to extend the time for the collection of drain and ditch tax in the townships of Brownstown and Romulus, in the county of Wayne;

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill ordered enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, January 23, 1861.* }

*To the President of the Senate :*

SIR :—I am instructed by the House to transmit the following bill, entitled

A bill to amend sections 9 and 34, of chapter 128, of the compiled laws, relative to the selection and return of jurors ;

Also,

A bill to amend section 8, of chapter 38, of the revised statutes of 1846, as amended by an act entitled an act to amend chapter 40 of the compiled laws, relative to the support of poor persons by the public, approved Feb. 11, 1859 ;

Which have passed the House by a majority vote of all the members elect, and in all which the concurrence of the Senate is respectfully asked.

Very respectfully, —

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, the bills read twice, the first named referred to the committee on the judiciary, and the last named referred to the committee on State affairs.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, January 23, 1861.* }

*To the President of the Senate :*

SIR :—I am instructed to return to the Senate the following bill, entitled

A bill to amend section 4 of an act entitled an act supplementary to an act to define the limits, jurisdiction and powers of circuit courts, approved April 8, 1851 ; and to repeal an act supplementary to said act, approved June 27, 1851, which act, hereby amended, was approved February 14, 1853 ;

And to inform the Senate that the House refuses to concur in

the action of the Senate thereon, and insists upon the passage of the bill; also that Representatives Howell and Joy have been appointed a committee of conference on the part of the House to meet a like committee on the part of the Senate relative to the action of the two Houses upon said bill.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table.

On motion of Mr. Stout,

The vote of the Senate, concurring in the action of the committee of the whole, on the bill, was reconsidered.

The question being on the concurrence of the Senate therein, the Senate did not concur, the following being the vote thereon:

YEAS.

Mr. Baker,	Mr. Gale,	Mr. Mulholland,	
Briggs,	Jones,	Strickland,	
Butterfield,	Monroe,	Tower,	9

NAYS.

Mr. Adair,	Mr. DeLand,	Mr. Lane,	
Backus,	Galloway,	Owen,	
Bailey,	Green,	Stout,	
Baldwin,	Ingersoll,	Williams,	
Brown,	Lacy,	Withey,	
Coulter,			16

On motion of Mr. DeLand,

The bill was ordered to a third reading.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, January 22, 1861.* }

*To the President of the Senate:*

SIR:—I am instructed to transmit to the Senate the following bill, entitled

A bill to extend the time for the collection of taxes for the year 1860;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members

elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill read twice and referred to the committee on the judiciary.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, January 28, 1861. }

*To the President of the Senate :*

SIR :—I am instructed to return to the Senate, the following bill entitled :

A bill to provide for the payment of members and officers of the Legislature ;

Which the House has amended by adding 'after the word "session," in line 12, section 2, the following :

"*Provided, however,* That the Secretary of the Senate and the Clerk of the House shall, in addition, receive the same compensation for actual travel in coming to and going from the place of meeting, as the members and other officers of the Legislature."

Also, by inserting the words "shall be three dollars a day," after the word "assistants," in line 13, section 2.

In the passage of which, as amended, the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table.

Mr. Jones moved that the Senate concur in the amendments of the House.

Mr. Tower called for a division of the question.

The first amendment was concurred in, by yeas and nays, as follows :



## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Lane,	
Backus,	Gale,	Monroe,	
Bailey,	Galloway,	Owen,	
Baldwin,	Green,	Strickland,	
Briggs,	Ingersoll,	Tower,	
Brown,	Jones,	Williams,	
Coulter,	Lacy,		20

## NAYS.

Mr. Baker,	Mr. Mulholland,	Mr. Withey,	
Butterfield,			4

The second amendment was non-concurred in, the following being the vote thereon :

## YEAS.

Mr. Baker,	Mr. Ingersoll,	Mr. Strickland,	
DeLand,	Jones,		5

## NAYS.

Mr. Adair,	Mr. Coulter,	Mr. Monroe,	
Backus,	Gale,	Mulholland,	
Bailey,	Galloway,	Owen,	
Baldwin,	Green,	Tower,	
Briggs,	Lacy,	Williams,	
Brown,	Lane,	Withey,	
Butterfield,			19

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, January 23, 1861.* }

*To the President of the Senate :*

SIR:—I am instructed by the House to transmit the following entitled bills:

A bill to confirm deeds and instruments for the conveyance of real estate in certain cases ;

Also,

A bill to transfer the general supervision and government of the State agricultural college from the State board of education to a State board of agriculture ;

Also,

A bill to authorize the Fort Street Presbyterian Church of Detroit to hold certain property ;

Which have passed the House by a majority vote of all the

members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of House of Representatives.*

The message was laid on the table, and the several bills read twice, the first named referred to the committee on the judiciary, the second to the committee on agriculture, and the third to the committee on incorporations.

MESSAGE OF THE GOVERNOR.

The President announced the following :

EXECUTIVE OFFICE,  
*Lansing, January 23, 1861.* }

*To the Senate:*

I have approved and deposited in the office of Secretary of State, the following acts :

An act to provide for the relief of school districts Nos. one and two, of the township of Manchester, in the county of Wash-tenaw ;

Also,

Joint resolution respecting the suit of the State of Michigan against the Phenix Bank of the city of New York ;

Also,

An act to repeal act No. 29 of the session laws of 1859 ;

Also,

An act to authorize tractional school district No. 1, of the townships of Shelby and Sterling, in the county of Macomb, to issue bonds ;

Also,

Joint resolution relative to the reciprocity treaty of June 5th, 1854.

AUSTIN BLAIR.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Owen gave notice that on some future day he would ask leave to introduce

A bill to repeal act No. 229, session laws of 1849, approved April 2, 1849, relative to the establishing of a public highway in the township of Troy, in Oakland county.

Mr. Gale offered the following:

*Resolved*, That the President be authorized to appoint a Reporter to the Senate, whose duty it shall be to correctly report the proceedings of this body.

On motion of Mr. Stout,

The resolution was laid on the table.

Mr. Brown, leave being granted, introduced

A bill to amend an act entitled an act to provide a military fund in aid of the volunteer uniformed militia, approved February 14, 1859;

Which was read twice and referred to the committee on the militia.

Mr. Baker, leave being granted, introduced

A bill to amend act No. 187 of the session laws of 1859, being an act entitled an act to amend chapter one hundred and fifty of the revised statutes of 1846, it being chapter 175 of the compiled laws, and to authorize the salary of judges of probate, approved February 15, 1859;

Which was read twice and referred to the committee on judiciary.

Mr. Tower asked and obtained leave of absence for one day.

The Senate then adjourned.

---

*Lansing, Thursday, January 24, 1861.*

The President called the Senate to order at 10 o'clock A. M.

Prayer by Rev. Mr. McLeod.

Roll called : a quorum present.

The Journal was read and approved.

#### PETITIONS PRESENTED.

Mr. Ingersoll presented preamble and resolution of the board of supervisors of the county of Saginaw, asking for the passage

of a law authorizing the several counties of the State to have exclusive control of all delinquent taxes returned to the offices of the treasurers of the same, and that they be authorized to make sales of lands delinquent for taxes;

Referred to the committee on State affairs.

Also, preamble and resolutions of the board of supervisors of the county of Saginaw, asking for the passage of an act requiring the Auditor General to charge to Bay county a certain sum of money, (\$1,293 39,) and to credit the same to the county of Saginaw, or such other relief as the exigencies of the case may demand ;

Referred to the committee on the judiciary.

By Mr. DeLand : petition of A. R. L. Covert and 36 others, citizens of Ingham county, for repeal of the charter of the Jackson and Michigan plank road company;

Referred to the committee on roads and bridges.

By Mr. Carpenter : petition of A. J. Knight and 35 others, of Lenawee county, for a law authorizing Sheriffs to hire out and contract the services of those persons confined in the county jails, and who are not subject to the State prison penalty ;

Referred to the committee on judiciary.

Also, petition of W. S. McKey, M. A. Ford and 71 others, citizens of Lenawee county, for a law to compel railroads companies to pay for cattle and other property destroyed by them on railroad and highway crossings in this State ;

Referred to the committee on incorporations.

By Mr. Strickland : memorial of C. W. Knickerbocker, relative to the Agricultural College ;

Referred to the committee on agriculture.

#### REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary :

The judiciary committee, to whom was referred

A bill to extend the time for the collection of taxes for the year one thousand eight hundred and sixty,

Have had the same under consideration, and would respect-

tally report the same back to the Senate with the recommendation that it do pass.

All which is respectfully submitted.

H. T. BACKUS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. DeLand,

The rules were suspended, and the bill was read a third time, and a majority of all the Senators elect not voting therefor, the same was lost, as follows:

### YEAS.

Mr. Adair,  
Backus,  
Brown,

Mr. Ingersoll,  
Mulholland,

Mr. Strickland,  
Withey,

7

### NAYS.

Mr. Bailey,  
Baker,  
Baldwin,  
Briggs,  
Butterfield,  
Carpenter,

Mr. Coulter,  
DeLand,  
Gale,  
Galloway,  
Lacy,  
Lane,

Mr. McDermid,  
Monroe,  
Owen,  
Stout,  
Webb,  
Williams, 18

By the same committee:

The committee on the judiciary, to whom was referred .

A bill to amend act No. 187, of the session laws of 1859, being an act entitled an act to amend chapter 168 of the revised statutes of 1846, it being chapter 175 of the compiled laws, and to the authorize the salary of judges of probate, approved February 15, 1859,

Have had the same under consideration, and would respectfully report the same back to the Senate with amendment. That they consider the bill in its main features right, and believing a proper and desirable change in the law, except as to the maximum to be paid into the county treasury, which they think too high, and therefore would recommend an amendment, which they herewith report, of \$100 instead of \$200; and as so amended they recommend that the bill do pass.

All which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the same committee :

The judiciary committee, to whom was referred

A bill to amend sections 9 and 34, of chapter 128, of the compiled laws, relative to the selection and return of jurors,

Have had the same under consideration, and would respectfully report the same back to the Senate with the recommendation that it do pass.

All which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill referred to the committee of the whole and placed on the general order.

By the same committee :

The committee on the judiciary, to whom was referred

A bill to confirm deeds and instruments for the conveyance of real estate in certain cases,

Have had the same under consideration, and would respectfully report the same back to the Senate, with the recommendation that it do pass.

All which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill referred to the committee of the whole, and placed on the general order.

By the committee on incorporations:

The committee on incorporations, to whom was referred

A bill to authorize the Fort street Presbyterian church of Detroit, to receive and hold certain property,

Have had said bill under consideration, report the same back to the Senate without amendment, and recommend its passage, and ask to be discharged from the further consideration of the subject.

JOS. R. WILLIAMS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

MESSAGES FROM THE OTHER HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, January 24, 1861.* }

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following entitled bill:

A bill to amend an act entitled an act to authorize the incorporation of bridge companies, approved April 4, 1851, by adding two sections thereto ;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill read twice and referred to the committee on incorporations.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, January 24, 1861.* }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following bill, entitled

A bill to provide for the payment of members and officers of the Legislature,

And to inform the Senate that the House has receded from its action in amending the bill, by inserting the words "shall be three dollars a day," after the word "assistants," in line 18 of section 2.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill ordered enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, January 24, 1861. }

*To the President of the Senate :*

SIR:—I am instructed by the House to transmit the following bill, entitled

A bill to authorize appeals to circuit and district courts from special proceedings before justices of the peace,

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill read twice and referred to the committee on the judiciary.

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Ingersoll gave notice that he would to-morrow ask leave to introduce

A bill to change the name of the unorganized county of Otsego to that of Robert; and the organized county of Cheboygan to that of Anderson.

Mr. Backus gave notice that he would, on some future day, ask leave to introduce

Joint resolution for the purpose of amending the Constitution so as to allow the legislature to increase the number of judges of the Supreme Court to five ;

Also,

A bill to authorize the judge of probate of the county of Wayne to appoint a register ;

Also,

A bill to provide for the surrender of criminals charged with offences in other States that have the same provisions.



Mr. Lane gave notice that on some future day he would ask leave to introduce

A bill authorizing the First Presbyterian Society of Ann Arbor to borrow money and secure the payment of the same.

Mr. Briggs gave notice that on some future day he would ask leave to introduce

A bill to prevent persons from placing obstructions in any navigable stream in this State.

Mr. Williams gave notice that on some future day he would ask leave to introduce

A bill to change the name of Nellie Frances Augur to Nellie Frances Hull.

Mr. Carpenter, leave being granted, introduced

A bill to change the name of Cynthia Massey to Tinnie Young ;

Which was read twice, and referred to the committee on State affairs.

Mr. Strickland gave notice that on some future day, he would ask leave to introduce

A bill to change the name of Sarah B. Blanchard, to Sarah B. Markham, and Charles Blanchard to Charles Markham.

Mr. Stout introduced the following :

*Resolved*, (the House concurring,) That the joint committee on investigation of the State Treasury be authorized and directed to make such investigation as far back as the committee, in their judgment, deem necessary,

Which resolution was adopted.

Mr. Withey gave notice that on some future day he would ask leave to introduce

A bill to amend section 4, of title 11, of an act to revise the charter of the city of Grand Rapids, being act No. 122 of laws of 1857 ;

Also,

A bill to amend section 25, of title 4, of said act;

Also,

A bill to repeal section 2 of act 106 of laws of 1840.

Mr. Owen, leave being granted, introduced

A bill to repeal act No. 229, approved April 2, 1849, being an act to lay out, alter, and establish a public highway on section 1, town 2 north, range 11 east, in the township of Troy, county of Oakland;

Which was read twice and referred to the committee on roads and bridges.

Mr. Ingersoll gave notice that on some future day he would ask leave to introduce

A bill to amend sections 14 and 16, and to repeal section 15, of chapter 134, of compiled laws, relative to the action of ejectment.

#### THIRD READING.

Senate bill, entitled

A bill to amend chapter 117 of the compiled laws,

Came up for a third reading, and

On motion of Mr. Brown,

Was laid on the table.

House bill No. 14, being

A bill to amend section 4 of an act entitled an act supplementary to an act to define the limits, jurisdiction and powers of Circuit Courts, approved April 8, 1851; and to repeal an act supplementary to said act, approved June 27, 1851, which act, hereby amended, was approved Feb. 16, 1853, being section 3438 of compiled laws, providing for bills of exception in certain cases,

Came up for a third reading, and was laid on the table.

House bill No. 2, being

A bill to amend section 44, of chapter 65, of the revised statutes of 1846, compiled laws, vol. 2, sec. 2763, in relation to the discharge of mortgages,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

#### YEAS.

Mr. Adair,  
Backus,

Mr. Coulter,  
DeLand,

Mr. McDermid,  
Monroe,

Bailey,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,

Gale,  
Galloway,  
Green,  
Ingersoll,  
Lacy,  
Lane,

Mulholland,  
Owen,  
Stout,  
Strickland,  
Williams,  
Withey,

25

0

NAYS.

The title was agreed to.

House bill No. 22, being

A bill to authorize the Fort Street Presbyterian Church, of Detroit, to hold certain property,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,

Mr. Coulter,  
DeLand,  
Gale,  
Galloway,  
Green,  
Ingersoll,  
Lacy,  
Lane,

Mr. McDermid,  
Monroe,  
Mulholland,  
Owen,  
Stout,  
Strickland,  
Williams,  
Withey,

25

0

NAYS.

The title was agreed to.

Senate bill, entitled

A bill to organize the township of Winfield, in the county of Mecosta,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,

Mr. Carpenter,  
Coulter,  
DeLand,  
Gale,  
Galloway,  
Green,  
Lacy,  
Lane,

Mr. McDermid,  
Monroe,  
Mulholland,  
Owen,  
Strickland,  
Webb,  
Williams,  
Withey,

24

NAYS.

Mr. Ingersoll,

Mr. Stout,

2

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of said Senators.

By unanimous consent, the President announced the following

MESSAGE FROM THE OTHER HOUSE:

HOUSE OF REPRESENTATIVES, }  
Lansing, January 24, 1861. }

*To the President of the Senate:*

SIR:—I am instructed by the House to re-transmit the following joint resolution, entitled

Joint resolutions on the state of the Union,

And to inform the Senate that the House does not concur in the action of the Senate, but adheres to its previous action thereon.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message, joint resolution and substitute were laid on the table.

Mr. Ingersoll moved that a committee of conference on the part of the Senate be appointed to confer with a like committee on the part of the House, relative to the matter of disagreement between the two Houses ;

Which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Backus,	Mr. Galloway,	Mr. Mulholland,
Bailey,	Green,	Owen,
Baldwin,	Ingersoll,	Stout,
Briggs,	Lacy,	Strickland,
Brown,	McDermid,	Webb,
Butterfield,	Monroe,	Withey,
Gale,		

19

NAYS.

Mr. Adair,	Mr. Coulter,	Mr. Lane,
Baker,	DeLand,	Williams,
Carpenter,		

7

The President announced the appointment of Senators Ingersoll, Stout and Gale as said committee.

By unanimous consent, Mr Conlter presented the petition of M. H. Maynard and some 100 others, of Marquette, for a grant of swamp lands for the construction of roads in the Upper Peninsula ;

Referred to the committee on public lands.

The Senate then adjourned.

---

*Lansing, Friday, January 25, 1861.*

The President called the Senate to order at 10 o'clock A. M.

Prayer by the Rev. Mr. Potter.

Roll called: a quorum present.

Leave of absence was granted to Senators Mulholland, Near, Strickland, Lane and Jones.

Journal read and approved.

#### PETITIONS PRESENTED.

By Mr. Brown: petition of Cornelius Will, Wesley Martin and 186 others, citizens of Kalamazoo county, asking that the wine and beer clause of the prohibitory liquor law of 1855 be restored ; also that act 201, of the session laws of 1859, relative to the adulteration of liquors, be so amended as to dispense with the appointment of authorized inspectors, and make it a penal offense for any and every one that sells adulterated liquors, proved to be such by the actual analysis of any competent, responsible, analytical chemist, who will attest that analysis by his legal oath;

Referred to the committee on State affairs.

By Mr. Baldwin: remonstrance of Chas. T. Gorham, Wm. H. Brown and 42 others, against the repeal of the personal liberty laws ;

Referred to the committee on federal relations.

By Mr. Briggs: petition of M. C. Cranston, Jas. Montieth and 57 others, praying for the enactment of a law providing for county superintendents of schools ;

Also, of J. C. Hitchcock, John Doxey and 9 others, for the same ;

Referred to the committee on public instruction.

Mr. DeLand : petition of W. P. Robbins and 24 other citizens of Jackson county, for the repeal of the charter of the Jackson and Michigan Plank Road Company ;

Referred to the committee on roads and bridges.

Also, petition of W. Hill for change of name of Mr. John Gregg to Charles Welcome Hill ;

Referred to the committee on State affairs.

Also, petition of David Potter and 64 others, for the repeal of the charter of the Jackson & Michigan Plank Road Company ;

Referred to the committee on roads and bridges.

By Mr. Wilder : petition of David McMichael and 187 others, praying for an appropriation of State swamp land to improve the Port Sanilac and Watrousville State road ;

Also, of B. A. Wood and 42 others, for the same ;

Referred to the committee on public lands.

By Mr. McDermid : petition for the passage of a law to extend the time for the redemption of lands sold for taxes, and to facilitate their redemption ;

Referred to the committee on finance.

#### REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary :

The committee on the judiciary to whom was referred the petition of Seymour Barret, W. W. Goff, and 160 others ; also, petition of J. Knight, and 35 others, praying for the passage of a law authorizing sheriffs to contract and hire out the labor of those persons confined in the county jails, whose offences are such as not to subject them to the State Prison penalty, would respectfully report they have had the same under consideration and herewith report a bill, amendatory of existing laws for that purpose, and which they recommend do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill read twice, ordered printed, referred to the committee of the whole, and placed on the general order.

By the judiciary committee :

The committee on the judiciary, to whom was referred

A bill to authorize the granting of new trials in all civil actions other than actions of ejectments ;

Have had the same under consideration, and would respectfully report that the provisions of the bill under consideration provides for the giving, as a matter of course, a new trial in all civil actions. Such a measure, in the opinion of your committee, while in many cases it might operate most favorably to the ends of justice, in a much more numerous class of cases would be subject to great abuse, in producing that delay in the administration of remedial justice, for which our State is already subject to too much reproach, especially in the matter of the collection of debts. Your committee, therefore, report said bill back to the Senate, and recommend that it do not pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill laid on the table.

By the committee on enrolled bills :

The committee on enrolled bills, to whom was referred

A bill to extend the time for the collection of a drain or ditch tax in the townships of Brownstown and Romulus, in the county of Wayne;

Also,

A bill to provide for the payment of the members and officers of the Legislature for the year 1861,

Respectfully report that they have had the same under consideration, and return them to the Senate correctly enrolled.

H. C. BRIGGS, *Chairman.*

The bills were signed and presented to the Governor.

By the committee on incorporations:

The committee on incorporations, to whom was referred House bill No. 31, being

A bill to amend an act entitled an act to authorize the incorporation of bridge companies, approved, &c.,

Report that they have had the bill under consideration, and return the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged.

JOS. R. WILLIAMS, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to third reading.

By the committee on State affairs :

The committee on State affairs, to whom was referred

A bill to change the name of Cynthia Massey,

Report that they have had the same under consideration, and return it to the Senate, with the recommendation that it do pass.

B. G. STOUT, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on State affairs:

The committee on State affairs, to whom was referred so much of the Governor's message as relates to the geological survey of the State, beg leave to submit the following report:

That in the opinion of your committee, no appropriation heretofore made by the Legislature, promises more ample returns than that made two years since for the purpose of continuing the geological survey of the State.

The report of the State Geologist, now ready for publication, exhibits a rapid increase in the work. It is unnecessary for your committee to enlarge upon the advantages to result to the State from a thorough examination of its mineral resources. The eminent success thus far warrants a due liberality on the part of the Legislature for the future. The State Geologist has embraced very many valuable tables upon subjects kindred to that of the report which cannot fail to be of much value. The report will constitute a volume of about two hundred pages.



The committee unanimously recommend the printing of five thousand copies of the same, and that the public libraries of the United States and of foreign countries, as well as the township and district libraries of the State, be supplied each with a copy.

For the purpose of continuing the survey, the committee recommend the appropriation of \$2,000 for the year 1861, and \$3,000 for the year 1862, and herewith submit a bill for the same ; also, a joint resolution authorizing the printing and distribution of the report.

All of which is respectfully submitted.

B G. STOUT, *Chairman.*

The report was accepted, the committee discharged, and the bill and joint resolution ordered printed, referred to the committee of the whole, and placed on the general order.

MESSAGE FROM THE OTHER HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, January 25, 1861.* }

*To the President of the Senate :*

SIR:—I am instructed by the House to transmit the following concurrent resolution:

*Resolved,* (the Senate concurring,) That the committee of the two Houses, appointed to investigate the condition of the Treasury, and the official acts of the late State Treasurer, be and it is hereby authorized to employ a clerk;

Which has passed the House, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table.

On motion of Mr. Withey,

The Senate concurred in the resolution.

## MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Monroe introduced the following :

*Resolved*, That the committee on State Prison be instructed to inquire and report to the Senate whether the mechanical trades, labor and business, as now employed, conducted, and carried on in the State Prison of this State, in the extensive manufacture and production of wares, goods, implements, instruments, furniture, &c., is not an infringement and violation of the third section of the eighteenth article of the Constitution of this State.

*Resolved*, That the said committee be further instructed to inquire and report to the Senate, by bill or otherwise, whether the present system of mechanical labor, and use of trades in the State Prison, may not gradually and safely be changed ; and the labor of the convicts employed in smelting and manufacturing iron, from the ores of this State.

Mr. Owen moved to refer the resolutions to a special committee of three ;

Which motion did not prevail.

The resolutions were adopted.

On motion of Mr. Stout, it was

*Resolved*, That the committee on public lands be instructed to report to the Senate what amounts of moneys and of swamp lands, have been applied to the construction of swamp land roads, under the act of 1859, and what sums have been expended in laying out the same, what has been paid to the Commissioners, and what claims yet unallowed have been presented by such Commissioners, and what is the state of progress of the several roads, and report by bill or otherwise.

Mr. Monroe gave notice that at an early day he would ask leave to introduce

A bill to repeal act No. 257, of the session laws of 1859, entitled an act authorizing the commissioners of highways of townships to establish water-courses, and locate ditches in certain cases, approved February 15th, 1859.

Mr. French gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved Feb. 14, 1853, and the acts amendatory thereto, approved Feb. 12, 1855, and Feb. 4, 1858.

Mr. Ingersoll, leave being granted, introduced

A bill to change the name of the unorganized county of Otsego, to that of Robert; and the organized county of Cheboygan to that of Anderson;

Which was read twice, and referred to the committee on State affairs.

Mr. Backus, leave being granted, introduced

A bill to authorize and empower judges of probate to license executors, administrators and guardians to mortgage, or otherwise pledge estate for the settlement of debts against the same;

Which bill was read twice, and referred to the committee on judiciary.

Mr. Withey, pursuant to previous notice, introduced

A bill to amend section 25, of title 4, of an act to revise the charter of the city of Grand Rapids;

Also,

A bill to amend section 4, of title 11, of an act to revise the charter of the city of Grand Rapids;

Which were read twice, and referred to the committee on incorporations.

Mr. Williams, leave being granted, introduced

A bill to change the name of Nellie Frances Augur, to Nellie Frances Hull;

Which was read twice, and referred to the committee on State affairs.

The Senate took a recess until 2 o'clock, P. M.

---

AFTERNOON SESSION.

The Senate was called to order at 2 o'clock.

Roll called: a quorum present.

## MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Baldwin asked and obtained unanimous consent to introduce

A bill to establish the Detroit House of Correction, and authorize the confinement of convicted persons therein ;

Which was read twice and referred to the committee on State affairs.

Mr. DeLand gave notice that on some future day he would ask leave to introduce

A bill to change the name of John Gregg to Charles Welcome Hill.

## THIRD READING.

House bill No. 31, entitled

A bill to amend an act entitled an act to authorize the incorporation of bridge companies,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. Carpenter,	Mr. Owen,	
Backus,	Coulter,	Stout,	
Bailey,	DeLand,	Tower,	
Baker,	French,	Webb,	
Baldwin,	Green,	Wilder,	
Briggs,	Lacy,	Williams,	
Brown,	McDermid,	Withey,	
Butterfield,	Monroe,		23

## NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect, by the vote of two-thirds of all of said Senators.

Senate bill, entitled

A bill to change the name of Cynthia Massey to Tinnie Young,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Backus,	Mr. Carpenter,	Mr. McDermid,
Bailey,	Coulter,	Owen,
Baker,	DeLand,	Tower,
Baldwin,	French,	Webb,

Briggs,  
Brown,  
Butterfield,

Green,  
Ingersoll,  
Lacy,

Wilder,  
Williams,  
Withey,

21

NAYS.

Mr. Adair,

Mr. Monroe,

Mr. Stout,

3

The title was agreed to.

#### GENERAL ORDER.

The Senate went into committee of the whole on the general order,

Mr. Withey in the chair ;

After some time spent thereon, the committee rose and through their chairman, made the following report :

The committee of the whole have had under consideration the following:

Senate bill No. 21, being

A bill to amend section 3926, of the compiled laws, being section 3 of chapter 118, and to repeal section 3941, of section 18 of said chapter ;

Senate bill No. 25, being

A bill to amend act No. 248 of the laws of 1859, entitled an act to regulate fire, marine, life and health insurance companies, and their agents, associations, partnerships, and individuals doing fire, marine, life, and health insurance business, not incorporated by the State of Michigan, approved February 15, 1859.

Senate bill No. 23, being

A bill to amend sections 3520, 3521, and 3522, of chapter 115, of the compiled laws, concerning the abatement and revivor of suits in chancery ;

Senate bill, entitled

A bill to extend the time for the collection and return of taxes in the unorganized territory of Manitou county ;

Have made several amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend their passage.

The committee have also had under consideration the following bills :

Senate bill No. 12, being

A bill to amend section 2033, of the compiled laws, relative to gifts, bequests and legacies to religious societies ;

Senate bill No. 24, being

A bill to amend an act entitled an act disposing of certain grants of land made to the State of Michigan, for railroad purposes, by act of Congress, approved June 3, 1856, approved February 14, 1857;

Senate bill, entitled

A bill to amend section No. 3563, of the compiled laws of 1857, relative to proceedings in chancery for the foreclosure of mortgages;

And have directed their chairman to report the same back to the Senate, without amendment, and recommend their passage.

The committee have also had under consideration senate joint resolution No. 4, being

Joint resolution to provide for an amendment to the constitution relative to removals from office,

And have directed their chairman to report the same back with a recommendation that the joint resolution be recommitted to the committee on the judiciary, with instructions to report whether section 37, article 4, of the constitution, does not give the Legislature power to make the provisions contemplated by the same, by bill or otherwise.

All of which is respectfully submitted.

S. L. WITHEY, *Chairman.*

The report was accepted, the recommendations of the committee concurred in, in gross, and the several bills ordered to a third reading.

On motion of Mr. Brown,

The Senate then adjourned.

*Lansing, Saturday, January 26, 1861.*

The President called the Senate to order at 10 o'clock A. M.

Prayer by Rev. Mr. McLeod.

Roll called : a quorum present.

The Journal was read and approved.

PETITIONS PRESENTED.

By Mr. Backus: petition of Conrad Rithard and 440 others, praying for a donation of swamp lands to aid in establishing a German-English seminary of learning upon the European plan ;

Which was referred to the committee on public instruction.

By Mr. Jones: petition of the board of supervisors of Cass county, in reference to probate matters ;

Which was referred to the committee on the judiciary.

By Mr. Withey : petition of the board of supervisors of Kent county for a grant of swamp lands to aid in the construction of the State road from Big Rapids, Mecosta county, to the intersection of the Greenville road, in Kent county, which road was established under act No. 70, session laws of 1857 ;

Also, petition of Orrin Jewell and 10 others, of Kent county, for the same ;

Also, petition of Wm. Thornton and 19 others, of Kent county, for the same ;

Also, petition of O. F. Hyde and 13 others, of Kent county, for the same ;

Which were referred to the committee on public lands.

By Mr. Tower: petition of James Hunter, Charles Rice, Rufus Godard and 80 others, for an appropriation of \$5,000 on a road from Ionia, in the county of Ionia, to Bellevue, in the county of Eaton ;

Also, petition of H. Rich, L. S. Lovell, S. A. Yeomans, and 96 others, citizens of Ionia county, for the same ;

Also, petition of Horace Lyform, Isaac Bretz and 21 others for the same ;

Also, petition of Solomon Lee, A. J. Clark, and 18 others, citizens of Ionia county, for the same ;

Also, petition of Franklin Smith, Winslow Dodge and 10 others, citizens of Eaton county, for the same;

Also, petition of David Crapo, Henry H. Crapo, James Gray, and 72 others, citizens of Ionia and Eaton counties, for the same;

Which were referred to the committee on roads and bridges.

By Mr. Williams: petition of C. A. Fletcher, John S. Barry, Lemuel C. Laird, A. H. Long, and 161 others, praying for aid in maintenance of a bridge across the St. Joseph river on the Chicago road.

Which was referred to the committee on roads and bridges.

By Mr. Wilder: petition of G. M. Stewart and 27 others, inhabitants of the townships of Caseville, in Huron county, praying that the time for the collection of taxes in that township may be extended to the 1st of April next;

Which was referred to the committee on State affairs.

#### REPORTS OF STANDING COMMITTEES.

By the committee on finance:

The committee on finance, to whom was referred so much of the messages of the late and present Governor of the State, as refers to the State debt, sinking fund and appropriations, have endeavored to give these subjects the consideration which their importance demands, and beg leave to report they have considered the State debt under three divisions:

1st. The funded and fundable debt.

2d. The debt to the Trust Funds.

3d. The current or floating debt.

The funded and fundable debt is as follows:

Penitentiary bonds, payable on demand	\$13,000 00	
Internal Improvement warrant bonds, ..	50 00	
Outstanding Int. Imp't warrants, .....	3,615 16	
		<hr/>
		\$16,665 16
Full paid \$5,000,000 loan bonds due		
January, 1863, .....	\$177,000 00	
Adjusted \$5,000,000 loan bonds due		
January, 1863, .....	1,737,185 00	



Part paid \$5,000,000 loan bonds due	
January, 1863, \$159,000 00, when	
funded will amount to.....	\$91,992 63
	<u>\$2,006,177 63</u>
Renewal loan bonds, due Jan. 1878,.	216,000 00
Temporary loan bonds, " " .	50,000 00
	<u>\$266,000 00</u>
	<u>\$2,288,842 79</u>
Canal bonds, guaranteed by the State,.....	\$100,000 00

## TRUST FUND DEBT.

Primary school fund,.....	\$697,625 97
University fund,.....	162,558 27
Normal school fund,.....	18,370 97
	<u>\$878,555 21</u>
Total, .....	<u><u>\$8,167,398 00</u></u>

The current or floating debt at the close of the present fiscal year, it is estimated, will amount to the sum of, (see table A.).....\$184,593 51

There is also due the counties for taxes on lands of

Saut St. Mary's Canal Co., (see Table B.) about. 50,000 00

Total, .....\$234,593 51

The Auditor General in his report (Schedule K.) of delinquent taxes returned, and of balance due to, or from the several counties, places to the credit of the counties the sum of \$144,019 22, but with the exception of the \$50,000 on the canal lands, "this is in no wise to be considered a debt due from the State to the counties, as the money has not been received into the treasury; it is the amount of delinquent taxes remaining unpaid in the form of State bids and State tax lands unsold, and for the purpose of collection, bid off to the State; when these State bids, or State tax lands are sold, the county taxes are paid over to the several counties to which they are due."

The Legislature of 1857 passed "an act to provide for the improvement of navigation over the sand flats of the Muskegon river," and appropriated for that purpose \$50,000, "to be paid from the internal improvement fund of this State." Section 13 of the act declares, that "no money shall be drawn from the general fund in the treasury of this State, for this purpose, nor shall the State be responsible nor held liable for any contract growing out of this improvement, except as herein otherwise provided." This work has been completed and accepted by the proper authorities as contemplated by the law, but as there was nothing to the credit of the internal improvement fund, the appropriation remains unpaid. The contractors claim that moneys properly belonging to this fund, have been used for other purposes of the State. Should the whole or any portion of this claim be allowed, the amount so allowed, must be added to the debt of the State.

Your committee have included in the estimated receipts into the treasury for the years 1861, 1862 and 1863, the proceeds from the sales of primary school, university and normal school lands; they do this from seeming necessity, as the present financial condition of the State will not warrant their immediate withdrawal; but in the judgment of your committee, the best interests of the State no less than the well being of the trust funds, demands that as soon as the finances of the State will allow, the annual receipts from *these sources*, should be withdrawn from the general fund, and be safely invested in the bonds of this or some other State.

As the taxes of 1861 and 1862 will not be received into the Treasury until 1862 and 1863, and must be relied upon to meet the expenses of the Government for those years, your committee have prepared and herewith submit, tables showing the estimated revenue and expenses of the State for the fiscal years ending November 30, 1861, 1862 and 1863. Table A exhibits the estimated revenue and expenses for the present year, showing a deficit at the close of the year, of \$184,593 51. Tables B and C exhibit the estimated revenue and expenses for the

year ending November 30, 1862, showing a deficit at that time of \$76,140 12. Tables D and E, the estimated revenue and expenses for the fiscal year ending November 30, 1863, with a surplus at the close of that year of \$58,809 88. These tables are made upon the basis of a State tax of two mills on the dollar valuation, for each of the years 1861 and 1862, and upon an estimated taxable valuation of one hundred and sixty millions of dollars.

As the State Board of Equalization does not meet until August, no positive valuation can now be fixed upon, but in the opinion of your committee, prudence will not allow a higher estimate than \$160,000,000, this sum being one million of dollars more than the aggregate value of the real and personal property of the State, as taken from the records of the several counties by the United States census marshals; but the true valuation as estimated by the late Auditor General, would exceed this sum by more than one hundred millions of dollars.

Should the State board of equalization, however, fix the taxable valuation at \$180,000,000, the aggregate of the State tax for 1861 and 1862, would be increased \$40,000 for each year, leaving still a deficit at the close of 1862 of \$36,140 12, but a surplus at the close of 1863 of \$138,809 88.

Should the taxable valuation be fixed at \$200,000,000, the State tax for 1861 and 1862 would be still further increased \$40,000 for each year, leaving a surplus at the close of 1862 of \$3,859 88, and at the close of the fiscal year ending November 30, 1863, a surplus of \$218,809 88.

The debt of Michigan is comparatively small, the State has steadily advanced in population, prosperity and wealth—few States possess so many advantages to ensure a continued increase in population and prosperity as does Michigan, yet truthfulness compels us to say that the present condition of the State is not free from financial embarrassment, but this condition of our finances can be readily accounted for ;

1st. From the fact that during the last six years very large appropriations have been made to the Asylums and other State

institutions, without providing taxation sufficient to pay them. Your committee have been not a little surprised at the facts which examination has brought to their notice, and they have prepared a table herewith submitted, marked F, showing the amount of the State taxes for the last six years—1855 to 1860 inclusive, and also the sums paid during the same period, to the six State institutions. From this table it will be seen that the aggregate State tax for the six years amounts to the sum of \$632,456 40; and that during the same period there has been paid from the Treasury, including the sums now due upon appropriations, and included in the estimate of expenses for the present year, to the Asylums, Reform Schools, Normal School, Agricultural School and State Prison, the large sum of \$930,513 74, showing that the State has paid to these six institutions during the last six years \$298,057 34, over and above the whole amount of the State taxes for the same period. It is true that during the six years the debt to the trust funds has been increased—to the Primary School Fund,..... \$203,100 93  
University Fund, ..... 60,669 02  
Normal School Fund,..... 11,072 79

Total,.....\$274,842 74

But, on the other hand, the funded and fundable debt of the State has, during the same period, been reduced in the sum of \$129,402 02.

The deficit at the close of the present year may also be accounted for in another way. The Legislature of 1859 appropriated the money thereafter to be received from the sales of the swamp lands to the opening of roads and ditches, and to the reclamation of these lands. But the Auditor General, in his estimate of the revenue of the State for that year, included estimated receipts from the sale of these lands,.....\$100,000 00  
Add to this, the deficiency in the accounts of the

late State Treasurer, as per table A,..... 80,043 44  
And the sum included in same table, among the expenses of the present year, for interest on float-

ing debt, caused by the failure of the two items  
 above named,..... \$10,000 00

Making,.....\$190,043 44

Which more than covers the estimated deficit at the close of the year.

With States as with individuals, it is much easier to get into an embarrassed condition, than, once there, to get out. This is particularly the case under the Constitution of this State. The State tax of 1860, which does not come into the Treasury until 1861, and is not yet realized, cannot be increased. No relief from present embarrassment can be derived from this source.

For the purpose of providing in part for the deficiency of the present fiscal year, your committee have prepared a joint resolution authorizing the State Treasurer to enter into an arrangement or agreement with some party or parties, to purchase and hold the coupons of the bonds of the State, falling due in July and January next, until such time as the finances of the State will allow of their payment; and to authorize the Treasurer to draw from the Treasury during the present year, a sum not exceeding \$12,000, for the payment of such interest as may be necessary on the coupons so purchased and held, and upon such other floating debt as it may be necessary to pay; and in like manner in 1862, a sum not exceeding \$15,000, for the same purpose.

Your committee are of the opinion that every Legislature should provide by taxation, a revenue sufficient to meet all appropriations and contingences. This duty is doubly imperative because of the constitutional prohibition to borrow money or create a debt. When the Legislature exercises a wise prudence in its appropriations, the people will sustain its action by cheerfully paying such tax as may be necessary to meet them.

From the best information your committee has been able to procure, the following is the rate of the State tax in the States named:

Ohio, in 1851, which is the latest your committee have been

able to find, 3 1-5 mills, and it is believed to be as large at present time.

Indiana, 1855 and 1856, 2 and 2½ mills, and poll tax of 75 cents.

Missouri, 1857, 2 mills, and poll tax of 37 cents.

Illinois, 4 7-10 mills, since 1855.

Iowa, 3 mills.

Your committee are of the opinion that the people of no other western States have been so lightly taxed as the people of Michigan.

For the purpose of paying the expenses of the government for the years 1862 and 1863, and to meet the deficit of the present year, your committee recommend a State tax of two mills on the dollar valuation of the real and personal property of the State.

Your committee also recommend that a sinking fund, be commenced in the year 1863, for the gradual lessening of the State debt. They do not deem it essential that this fund shall be sufficient to liquidate the entire indebtedness of the State in twenty years, but they deem it of much importance that a fund should be commenced, continued, and faithfully appropriated to this purpose. They therefore recommend that \$25,000 a year, commencing with the State tax of 1863, be annually raised over and above the ordinary State tax, and invariably set apart for this purpose. This amount, in twenty years, with its accumulations, will pay about two-thirds of the bonded debt of the State.

Respecting appropriations by this Legislature, your committee recommend that they be limited to such sums as are necessary to defray the current expenses of the State Institutions, in the most economical manner, and to such other inconsiderable appropriations as the interests of the State plainly demand.

The following items, included in the estimated expenses for 1861 and 1862, will, if approved, need appropriations to meet them :

*For 1861.*

Asylum for Deaf, Dumb and Blind, current expenses,	\$10,000 00
Agricultural College, current expenses over and above balance of appropriation of 1859,.....	4,500 00
Normal School, current expenses, balance,.....	6,000 00
Geological survey,.....	3,000 00
State Agricultural Society,.....	2,500 00
<b>Total for 1861,.....</b>	<b><u>\$26,000 00</u></b>

*For 1862.*

Asylum for Deaf, Dumb and Blind, current expenses,	\$10,000 00
Agricultural College, current expenses,.....	7,500 00
Normal School, " " .....	6,000 00
Geological survey,.....	3,000 00
State Agricultural Society,.....	2,500 00
<b>Total for 1862,.....</b>	<b><u>\$29,000 00</u></b>

To meet the State bonds due in January, 1863, your committee recommend the re-issue of the bonds of the State, payable in twenty years from the first day of January, 1863, with semi-annual interest, payable in the city of New York, at the rate of six per centum per annum. The part paid five million loan bonds due in January, 1863, may or may not be presented for adjustment and payment when due; if not presented, about one hundred thousand dollars of the new bonds can be withheld from sale.

In conformity with the recommendations herein contained, your committee submit herewith:

Joint resolution authorizing the State Treasurer to provide for the interest due upon the bonds of the State, in July and and January next, and to pay the interest thereon and upon the floating debt of the State;

A bill to provide a tax for the expenses of the State government and for a sinking fund;

A bill to provide the means for the redemption of the bonds of the State maturing in January, 1863;

A bill making an appropriation for the support of the Michigan Asylum for the Deaf, Dumb and Blind, at Flint;

A bill making appropriations for the support of the Agricultural College.

H. P. BALDWIN, *Chairman.*

### TABLE A.

#### *Estimated expenses for the fiscal year ending November 30, 1861.*

Estimate of Auditor General, report page 39,.....	\$696,920 58	
Balance due for repairs on Saut Canal, paid by the late State Treasurer, .....	29,702 50	\$726,623 17

#### *Estimated revenue for the fiscal year.*

Estimate of Auditor General, report, page 40.....	\$606,861 02	
Deduct sundry items in the Treasury called cash, not available, .....	\$68,043 44	
Specific tax, Detroit and Milwaukee Railroad Co., for 1860, included in report of Auditor General as revenue, said tax paid to late Treasurer and not accounted for,.....	\$23,000 00	
	<u>\$90,043 44</u>	\$584,817 58
Deficit,.....		<u>\$129,845 60</u>

The following should probably be added :

Taxes paid, under protest, by Saut St. Mary's Canal Co., Auditor General's report, page 10,.....	\$7,247 92	
One-half of specific mining tax, returnable to counties, .....	2,000 00	
Salt bounty, estimated at.....	2,000 00	
Asylum for Insane, deficiency in revenue, salaries,....	2,000 00	\$14,747 92
Asylum for Deaf, Dumb and Blind, current expenses, ..	\$10,000 00	
Agricultural College, current expenses over and above balance of unexpended appropriation of 1859,....	4,500 00	
State Geological Survey,.....	2,000 00	
State Agricultural Society, if appropriation continued, ..	2,500 00	
Interest on floating State debt,.....	10,000 00	
	<u>20,000 00</u>	44,747 92
Deficit,.....		<u><u>\$184,593 51</u></u>

### TABLE B.

#### *Estimated Expenses for the Fiscal Year ending November 30, 1862.*

Deficit for 1861, as per Table A,..... \$184,583 51

Taxes due counties on lands of Saut St.

Mary's Canal Co., see Report Auditor General, pages 8, 9 and 10, to be

provided for by the Legislature,.... 50,000 00

\$234,583 51



**Salary of State officers and extra cl'ks**

in land office,.....	\$22,500 00
Supreme and Circuit Courts,.....	38,000 00
Awards of Board of State Auditors,..	25,000 00
Coroner's fees, \$1000 ; Wolf bounty	
\$1000, ....	2,000 00
Teachers Institute, .....	1,500 00
Trustees of Asylums, .....	500 00
Interest on Primary School Fund,....	50,000 00
" part paid Primary School	
Lands, .....	72,000 00
" University Fund,.....	18,750 00
" part paid University lands,	19,000 00
" Normal School Fund,.....	1,285 96
" part paid Normal School	
Lands, .....	3,300 00
" State Debt Ad-	
justed,.....\$138,091 10	
" State Debt un-	
adjusted,.... 5,519 55	
	<hr/>
	143,610 65
" current debt of the State,:	12,000 00
Exchange and commission,.....	3,000 00
Expenses of engrossing, issue and	
sale of new bonds,.....	5,000 00
Commissioners of emigration,.....	2,500 00
Geological Survey,.....	3,000 00
Journal of Education,.....	1,500 00
Normal School, current expenses and	
interest, .....	6,000 00
Military appropriation,.....	3,000 00
State Reform School, current expenses,	17,000 00
Agricultural College, " " " "	7,500 00
Asylum, deaf, dumb & blind, "	10,000 00
Asylum for the insane part of "	3,000 00

One half specific mining tax, return- able to counties,.....	2,000 00	
State Agricultural Society, if appro- propriation made,.....	2,500 00	
Salt bounty,.....	2,500 00	
	<hr/>	472,946 21
Total, .....		<u><u>\$707,540 12</u></u>

TABLE C.

*Estimated Revenue for the fiscal year ending November 30, 1862.*

Specific taxes and licenses,.....	\$155,000	
Tolls St. Mary's Canal,.....	25,000	
United States 5s,.....	3,000	
State Building Fund,.....	1,000	
	<hr/>	\$184,000 00
Salt Spring Lands,.....	\$ 1,600	
University Lands,.....	5,000	
Primary School Lands,.....	20,000	
Asylum Lands,.....	3,000	
Normal School Lands,.....	3,500	
	<hr/>	33,500 00
Int'st on Primary School Lands, part-paid, \$72,000		
"    part-paid Univ'y " .....	19,000	
"    "    No'l Sch'l " .....	3,300	
	<hr/>	94,300 00
		<hr/>
		\$311,400 00
State tax of 2 mills, if so provided by the Legisla- ture, assuming the valuation to be fixed by the State Board of Equalization at \$160,000 00,....	320,000 00	
	<hr/>	\$631,400 00
Estimated expenses, table B,.....	707,540 12	
	<hr/>	<u><u>\$76,140 12</u></u>

TABLE D.

*Estimated Expenses for the Fiscal Year ending Nov. 30, 1863.*

Deficit for 1862—table C,.....	\$76,140 12
Salaries of State Officers and Clerks,....	\$22,500 00
Supreme and Circuit Courts,.....	33,000 00
Awards of Board of State Auditors,....	50,000 00
Wolf bounty \$1000; Coroners' fees \$1000,	2,000 00
Teacher's Institutes,.....	1,800 00
Trustees of Asylums,.....	500 00
Expenses of State Reform School,.....	17,000 00
Interest on University Fund,.....	18,750 00
"    " Primary School Fund,.....	50,000 00
"    " Normal School Fund,.....	1,500 00
"    " part paid University Lands,	19,000 00
"    " p't p'd Primary School Lands,	72,900 00
"    " p't p'd Normal School Lands,	3,300 00
Normal School expenses over interest,..	7,000 00
Agricultural School expenses over int.,	7,500 00
Interest on State debt,.....	143,600 00
Exchange and Commissions,.....	3,000 00
Commissioners of Emigration,.....	2,500 00
Military Appropriation,.....	3,000 00
Geological Survey,.....	3,000 00
Specific Mining Tax returnable to Coun-	
ties, ( $\frac{1}{2}$ ),.....	2,000 00
State Agricultural Society, (if appropri-	
ated,) .....	2,500 00
Asylum for Deaf, Dumb and Blind, cur-	
rent expenses,.....	10,000 00
Asylum for Insane, (towards salaries,) ..	3,000 00
Expenses of Legislature of 1863,.....	40,000 00
	<hr/>
	\$518,450 00
Total,.....	\$594,590 12
	<hr/> <hr/>

TABLE E.

*Estimated Revenue for the Fiscal Year ending November 30, 1863.*

Specific taxes and licenses,.....	\$175,000 00	
Tolls St. Mary's Canal,.....	25,000 00	
United States, 5 per cent.,.....	5,000 00	
State Building Fund,.....	1,000 00	
		<hr/>
		\$206,000 00
State Salt Spring Lands,.....	1,600 00	
University Lands,.....	5,000 00	
Primary School Lands,.....	20,000 00	
Normal School Lands,.....	3,500 00	
Asylum Fund Lands,.....	3,000 00	
		<hr/>
		33,100 00
Interest on part paid Univeristy Lands,	19,000 00	
Do, on part paid Primary School Lands,	72,000 00	
“ on part paid Normal School Lands,	3,800 00	
		<hr/>
		94,300 00
		<hr/>
		\$333,400 00
State tax of 1862 of 2 mills on the dollar, if provided for by the Legislature on a valuation to be fixed by the State Board of equalization, assumed to be \$160,000,000, .....		320,000 00
		<hr/>
		\$653,400 00
Estimated expenses Table D,.....		594,590 12
		<hr/>
Surplus, .....		\$ 58,809 88
Should the taxable valuation be fixed at \$180,000,000, there should be added to the tax of 1861,.....	40,000 00	
And to the tax of 1862,.....	40,000 00	
		<hr/>
		80,000 00
		<hr/>
Surplus, .....		\$138,809 88
Should the valuation be fixed at \$200,- 000,000, to be added to tax of 1861,.	40,000 00	
And to the tax of 1862,.....	40,000 00	
		<hr/>
		80,000 00
		<hr/>
Surplus,.....		<u><u>\$218,809 88</u></u>

TABLE F.

*Showing the amount paid the six State Institutions for the six years, 1855, to 1860, inclusive.*

YEARS, .....	1855.	1856.	1857.	1858.	1859.	1860.	Total.
Asylums, ....	\$58,821 18	\$39,568 31	\$54,815 66	\$58,683 22	\$42,589 04	\$62,794 12	\$313,271 43
Ref'm School,	11,258 99	12,982 81	13,773 76	15,000 00	17,000 00	27,174 50	103,545 86
Norm'l School,	230 58	4,189 20	5,537 76	3,595 35	8,149 57	9,374 63	31,078 09
Agr'l School, ..	10,286 95	34,181 59	48,619 01	3,158 85	17,675 45	13,219 43	127,214 19
State Prison, ..	40,628 37	41,999 00	47,999 00	34,999 00	16,273 63	16,579 55	198,575 55
	116,000 97	133,900 72	175,745 19	115,437 42	101,786 69	129,142 63	\$773,064 03

Unpaid balance of appropriations and appropriations recommended, both included in estimated expenses for 1861, for these Institutions,..... 155,439 12

\$928,503 14

*State tax for six years, 1855 to 1860, inclusive.*

	1855.	1856.	1857.	1858.	1859.	1860.
	\$40,000 00	\$45,000 00	\$55,000 20	\$55,000 20	\$202,000 00	\$144,000 00
Paid above named Institutions, over and above aggregate State tax,.....						\$208,057 34

The report was accepted, one thousand copies ordered printed, for the use of the Senate, and the committee discharged.

The joint resolution and the several bills were read twice, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary :

The committee on the judiciary, to whom was referred

A bill to amend an act entitled an act to authorize proceedings against garnishees and for other purposes, approved March 28th, 1849, chapter 141 of the compiled laws,

Have had the same under consideration, and would respectfully report, that the general nature and character of the bill they highly approve, as affording the long needed, complete remedy of garnishees against private corporation as well as individuals, and for which omission in our system of remedial justice your committee can conceive no good or sufficient reason.

Your committee recommend an amendment by adding to the officers of private corporations, as subject to service of process, and to examination that of "clerk," and so have amended the bill. To this end they herewith report back the bill, to them so referred, so amended by a new engrossment thereof, which

they also report, and so amended they recommend the bill do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the same committee:

The committee on the judiciary, to whom was referred

A bill to authorize and empower judges of probate to license executors, administrators and guardians to mortgage or otherwise pledge estate for the settlement of debts against the same,

Have had the same under consideration, and would respectfully report the same back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the finance committee:

The finance committee, to whom was referred so much of the message of Gov. Wisner as refers to a female college, and so much as relates to a new capitol, have had the same under consideration, and beg leave to report that in the judgment of your committee it is not expedient to make appropriations for either of these objects at the present time.

H. P. BALDWIN, *Chairman.*

The report was accepted and laid on the table.

By the committee on State affairs:

The committee on State affairs, to whom was referred the memorial of the board of supervisors of Saginaw county, asking the passage of a law authorizing the several counties of the State to have the exclusive control of the delinquent taxes returned to the office of their respective treasurers, and that

they be authorized to make sales of lands delinquent for taxes, and give title for the same, respectfully submit the following report :

The memorialists seek the object set forth in their petition for the purpose of reimbursing the county of Saginaw for the amount of taxes returned by the county treasurer to the Auditor General as unpaid. If this change was at all practical, it does not appear that the object sought could thereby be attained.

By the report of the Auditor General for 1860, it appears that the amount of the tax lists for that year in Saginaw county, are \$3,510 81, and of this sum only \$371 04 were sold at the last tax sale in October, and although a portion of tax was paid at the office, there remained of bids to the State which cannot be available until sold, the amount of \$1,238 09, more than one-third of the entire amount advertised for the year 1860.

By the same Auditor's report, schedule "J," it will appear that the tax lists advertised for 1859 and previous years, in Saginaw county, amounted to \$18,297 01, and that of the amount there was received by the county treasurer in sales and redemption upon sales \$6,131 30, leaving State bids amounting to \$6,490 90. The same table shows that of the entire sum advertised in the county of that year, the Auditor General received in payment at his office only \$674 81.

The memorialists allege that by the balance sheet sent to the county treasurer, there was due Saginaw county on the 1st July, 1860, the sum of \$15,143 27. This was made up of amount of tax lists of 1859, and previous years,.....\$18,297 01  
Tax lists of 1860, ..... 3,510 81

---

\$16,807 82

The committee have no desire to strike a balance between the State and Saginaw county, but inasmuch as the county treasurer received at the October sale of 1860 the sum of \$6,131 30, it is fair to infer that the apparent debit to the State has been materially reduced. Of the balance there remains \$6,490 90 of State bids which will be available to the county as soon as the

residents thereof pay their taxes, or invest their surplus capital in bidding off these non-resident tax lands at the annual sales:

Your committee find that the State is not indebted to the counties only in cases where the tax has been specific, as in the case of Houghton county, and where there had been returned taxes upon lands of the St. Mary's Canal Co., which has been remitted to the company and credited to the county.

In most cases the State is the sufferer by the present system. For the years 1859 and '60 the amount of moneys received by the Auditor General on account of redemptions and taxes, paid on lands in Saginaw county, has not equalled the State tax for that county. The result has been that that county has paid her State tax in part by returning to the State the non resident taxes.

In the collection of taxes the State occupies the position of trustee of the counties—credits them respectively with the amount returned, and pays it to the county when collected. The reason why so large an amount stands credited to the counties, is on account of the diminished sales at the county treasurer's office.

Your committee therefore find no indebtedness to the county as alleged in the prayer of the memorialists, therefore they report adversely thereto.

B. G. STOUT, *Chairman.*

The report was accepted, the committee discharged, and the memorial laid on the table.

By the committee on State affairs :

The committee on State affairs, to whom was referred the petition of Cornelius Hill and 184 other citizens of Michigan, asking a repeal of act No 172 of session laws of 1857, permitting the sale of cider, beer and native wines,

Respectfully report that they have given the subject a careful consideration, and entertain the opinion that the extreme severity of the law of 1855 was a serious obstacle to its observance, and that its modification by act No. 172, of 1857, has removed the objections entertained by many very worthy citizens



of the State. Without passing any judgment upon the merits of the prohibitory law, your committee consider the neglect of its observance and enforcement to be a matter of fact. As the law now stands, its enforcement is practically of little difficulty. Your committee therefore advise no change in the present law, and herewith return the petition to the Senate, and ask to be discharged from the further consideration of the subject.

BYRON G. STOUT, *Chairman.*

The report was accepted, the committee discharged, and the petition laid on the table.

#### MESSAGE OF THE GOVERNOR.

The President announced the following :

EXECUTIVE OFFICE,  
*Lansing, January 26, 1861.* }

*To the Senate:*

I herewith transmit the accompanying resolution of the General Assembly of the State of Virginia, to which the attention of the Legislature is respectfully invited.

AUSTIN BLAIR.

EXECUTIVE DEPARTMENT,  
*Richmond, January 20, 1861.* }

SIR:—I have the honor to transmit herewith, resolutions adopted by the General Assembly of Virginia on yesterday.

Very respectfully,

JOHN LETCHER.

*Preamble and Resolutions Adopted by the General Assembly of Virginia, January the 19th, 1861.*

*Whereas, It is the deliberate opinion of the General Assembly of Virginia, that unless the unhappy controversy which now divides the States of this Confederacy, shall be satisfactorily adjusted, a permanent dissolution of the Union is inevitable; and the General Assembly, representing the wishes of the people of the Commonwealth, is desirous of employing every reasonable means to avert so dire a calamity, and determined to make a final effort to restore the Union and the*

Constitution, in the spirit in which they were established by the fathers of the Republic; therefore,

*Resolved*, That on behalf of the Commonwealth of Virginia, an invitation is hereby extended to all such States, whether slaveholding or non-slaveholding, as are willing to unite with Virginia in an earnest effort to adjust the present unhappy controversies, in the spirit in which the Constitution was originally formed, and consistently with its principles, so as to afford the people of the slaveholding States adequate guarantees for the security of their rights, to appoint Commissioners to meet on the 4th day of February next, in the city of Washington, similar Commissioners appointed by Virginia, to consider, and if practicable, agree upon some suitable adjustment.

*Resolved*, That ex-President John Tyler, William C. Rives, Judge John W. Brockenbrough, George W. Summers and James A. Seddon are hereby appointed Commissioners, whose duty it shall be to repair to the city of Washington, on the day designated in the foregoing resolution, to meet such Commissioners as may be appointed by any of the said States, in accordance with the foregoing resolution.

*Resolved*, That if said Commissioners, after full and free conference, shall agree upon any plan of adjustment requiring amendments of the Federal Constitution, for the further security of the rights of the people of the slaveholding States, they be requested to communicate the proposed amendments to Congress for the purpose of having the same submitted by that body, according to the forms of the Constitution, to the several States for ratification.

*Resolved*, That if said Commissioners cannot agree on such adjustment, or if agreeing, Congress shall refuse to submit for ratification such amendments as may be proposed, then the Commissioners of this State shall immediately communicate the result to the Executive of this Commonwealth, to be by him laid before the convention of the people of Virginia and the General Assembly: *Provided*, That the said Commissioners be

subject at all times to the control of the General Assembly, or if in session, to that of the State convention.

*Resolved*, That in the opinion of the General Assembly of Virginia, the propositions embraced in the resolutions presented to the Senate of the United States by the Hon. John J. Crittenden, so modified as that the first article proposed as an amendment to the Constitution of the United States shall apply to all the territory of the United States now held or hereafter acquired south of latitude thirty-six degrees and thirty minutes, and provide that slavery of the African race shall be effectually protected as property therein during the continuance of the territorial government, and the fourth article shall secure to the owners of slaves the right of transit with their slaves between and through the non-slaveholding States and territories, constitute the basis of such an adjustment of the unhappy controversy which now divides the States of this Confederacy, as would be accepted by the people of this Commonwealth.

*Resolved*, That Ex-President John Tyler is hereby appointed by the concurrent vote of each branch of the General Assembly, a commissioner to the President of the United States, and Judge John Robertson is hereby appointed, by a like vote, a commissioner to the State of South Carolina, and the other States that have seceded, or shall secede, with instructions respectfully to request the President of the United States and the authorities of such States to agree to abstain, pending the proceedings contemplated by the action of this General Assembly, from any and all acts calculated to produce a collision of arms between the States and the Government of the United States.

*Resolved*, That copies of the foregoing resolutions be forthwith telegraphed to the Executives of the several States, and also to the President of the United States, and that the Governor be requested to inform, without delay, the commissioners of their appointment by the foregoing resolutions.

A Copy from the Rolls.

WM. F. GORDON, JR.,

C. H. D. & K. R. of Va.

On motion of Mr. DeLand,

The message was laid on the table, and ordered printed in the journal.

The President also announced the following :

EXECUTIVE OFFICE,  
Lansing, January 25, 1861. }

*To the Senate :*

I have approved and deposited in the office of the Secretary of State the following acts, to wit :

An act to provide for the payment of the members and officers of the Legislature, for the year 1861 ;

Also,

An act to extend the time for the collection of drain or ditch tax in the townships of Brownstown and Romulus, in the county of Wayne.

AUSTIN BLAIR.

Which was laid on the table.

#### MESSAGES FROM THE OTHER HOUSE.

The President announced the following :

HOUSE OF REPRESENTATIVES,  
Lansing, January 26, 1861. }

*To the President of the Senate :*

SIR:—I am instructed to inform the Senate that the House has passed the following preamble and resolution:

*Whereas*, This House has adhered to its former action on the "joint resolution on the State of the Union," and the Senate having appointed a committee of conference thereon; therefore

*Resolved*, That the House appoint a committee of three to inform the Senate of the reasons of the House for such adherence;

And that Representatives Howell, Gilbert and Gregory, have been appointed such committee.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

Mr. DeLand moved that the committee of conference heretofore appointed by the Senate, be authorized to confer with the

above committee of the House, and report to the Senate the reasons assigned by the House for their adherence;

Which was adopted.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, January 25, 1861. }

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following bill, entitled

A bill to provide for changing the names of minor adopted children, and of other persons;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of House of Representatives.*

The message was laid on the table, and the bill read twice and referred to the committee on the judiciary.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, January 26, 1861. }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following concurrent resolution:

*Resolved*, (the House concurring,) That the joint committee on the investigation of the condition of the State Treasury be authorized and directed to make such investigation as far back as the committee, in their judgment, deem necessary;

In the passage of which the House has concurred.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

Which was laid on the table.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, January 25, 1861. }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following entitled bills:

A bill to extend the time for the collection of taxes in the townships of Clay, Kimball and Riley, in the county of St. Clair;

Also,

A bill to extend the time for collection of taxes in the townships of Clyde, Columbus and St. Clair, in the county of St. Clair;

Which last named bill has been amended by inserting after the word "Columbus" in the first section, the words "Berlin, Ira."

The House has also amended the title of said bill by inserting the words "Berlin, Ira," after the word "Columbus;"

In the passage of which, as amended, the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The first named bill was referred to the committee on enrollment and engrossment, and

On motion of Mr. Brown,

The Senate concurred in the amendments made by the House to the last named bill, by a majority vote of all the Senators elect, by yeas and nays as follows:

**YEAS.**

Mr. Adair,  
Backus,  
Bailey,  
Baldwin,

Mr. DeLand,  
French,  
Galloway,  
Green,

Mr. Monroe,  
Owen,  
Strickland,  
Tower,

Briggs,  
Brown,  
Butterfield,  
Carpenter,  
Coulter,

Ingersoll,  
Jones,  
Lacy,  
McDermid,

Webb,  
Wilder,  
Williams,  
Withey,

25

## NAYS.

Mr. Gale,

Stout,

2

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all of said Senators.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, January 26, 1861.* }

*To the President of the Senate :*

SIR:—I am instructed by the House to transmit the following bill, entitled

A bill to extend the time for the collection of taxes in the township of Lyons and Boston, Ionia county, for the year 1860,

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect has been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

On motion of Mr. Tower,

The rule requiring a second and third reading to be had on different days was suspended, and the bill was read a third time and passed, by a majority vote of all the Senators elect, by yeas nays, as follows:

## YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,

Mr. Coulter,  
DeLand,  
French,  
Galloway,  
Ingersoll,  
Jones,  
Lacy,  
McDermid,

Mr. Monroe,  
Strickland,  
Tower,  
Webb,  
Wilder,  
Williams,  
Withey,

23

## NAYS.

Mr. Baker,  
Gale,

Mr. Green,  
Owen,

Mr. Stout,

The title was agreed to, and the bill ordered to take immediate effect, by the vote of two-thirds of all of said Senators.

## MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Backus, pursuant to previous notice, introduced

A bill to amend an act entitled an act to revise the city of Detroit, approved February 5th, 1859;

Which was read twice and referred to the committee on corporations.

Mr. Strickland, previous notice having been given, introduced

A bill to change the name of Sarah B. Blanchard to Markham, and Charles Blanchard to Charles Markham

Which was read twice and referred to the committee on State affairs.

Mr. Monroe gave notice that on Monday next he will leave to introduce

A bill to incorporate Tyre Lodge of free and accepted masons of the village of Coldwater.

On motion of Mr. Baldwin, House bill, No. 22, entitled

A bill to authorize the Fort Street Presbyterian Church, Detroit, to hold certain property,

Was ordered to take immediate effect by a vote of two-thirds of all the Senators elect.

Mr. French, pursuant to previous notice, introduced

A bill to amend an act entitled an act to provide for the sale of property at its true value, and for levying and collecting thereon, approved February 14, 1853, and the acts amendatory thereto, approved February 12, 1855, approved February 1858;

Which was read twice and referred to the committee on public lands.

Mr. DeLand moved that Senate bill No. 19 be taken up and referred to the committee on finance;

C.



Which motion prevailed.

Mr. Wilder, leave being granted, introduced

A bill to extend the time for the collection of taxes in the township of Caseville, in the county of Haron, for the year 1860;

Which was read twice, and

On motion of Mr. Wilder,

Was placed on the order of third reading.

Mr. Ingersoll introduced the following:

*Resolved*, That in addition to those already ordered, two thousand extra copies of the report of the committee on finance, presented yesterday, be and the same are hereby ordered to be printed for the use of the legislature;

Which was adopted, by yeas and nays, as follows:

#### YEAS.

Mr. Adair,	Mr. Coulter,	Mr. Owen,	
Backus,	DeLand,	Strickland,	
Bailey,	Green,	Webb,	
Briggs,	Ingersoll,	Wilder,	
Brown,	Monroe,	Williams,	
Butterfield,			16

#### NAYS.

Mr. Baker,	Mr. Galloway,	Mr. McDermid,	
Carpenter,	Jones,	Tower,	
French,	Lacy,	Withey,	
Gale,			10

Mr. Strickland moved to take from the table

A bill to amend section 3836 of compiled laws, and to repeal section 2846 of said laws,

And place the same on the order of third reading;

Which motion prevailed.

#### THIRD READING.

Senate bill No. 24, being

A bill to amend an act entitled an act disposing of certain grants of land made to the State of Michigan, for railroad purposes, by act of Congress, approved June 3d, 1856, approved Feb. 14, 1857.

Was read a third time, and  
On motion of Mr. Strickland,  
Laid on the table.

Senate bill No. 12, being

- A bill to amend section 2033 of the compiled laws, rel gifts, bequests and legacies to religious societies,

Was read a third time and passed, a majority of  
Senators elect voting therefor, as follows:

#### YEAS.

Mr. Adair,	Mr. Coulter,	Mr. McDermi
Backus,	DeLand,	Owen,
Bailey,	French,	Stout,
Baker,	Galloway,	Webb,
Baldwin,	Green,	Wilder,
Brown,	Ingersoll,	Withey,
Butterfield,		

#### NAYS.

Mr. Briggs,	Mr. Jones,	Mr. Monroe,
Carpenter,	Lacy,	Tower,
Gale,		

The title was agreed to.

A bill to extend the time for the collection of taxes in  
organized territory in Manitou county,

Was read a third time and passed, by a majority of  
the Senators elect, by yeas and nays, as follows:

#### YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Monroe,
Backus,	French,	Owen,
Bailey,	Gale,	Stout,
Baker,	Galloway,	Strickland,
Baldwin,	Green,	Tower,
Briggs,	Ingersoll,	Webb,
Brown,	Jones,	Wilder,
Butterfield,	Lacy,	William,
Carpenter,	McDermid,	Withey,
Coulter,		

#### NAYS

The title was agreed to, and the bill ordered to take  
effect by a vote of two-thirds of all said Senators.

Mr. Owen, the rules having been suspended, introdu

A bill to extend the time for the collection of taxes in the township of Groveland, in Oakland county, for the year 1860;

Which was read twice, and

On motion of Mr. Owen,

The rule requiring the second and third reading to be on different days was suspended, when the bill was read a third time, and not having received a majority vote of all the Senators elect, was declared not passed, by yeas and nays as follows :

# YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Strickland,	
Bailey,	Ingersoll,	Tower,	
Brown,	Monroe,	Webb,	
Coulter,	Owen,	Wilder,	12

# NAYS.

Mr. Backus,	Mr. French,	Mr. Lacy,	
Baker,	Gale,	McDermid,	
Baldwin,	Galloway,	Stout,	
Briggs,	Green,	Williams,	
Butterfield,	Jones,	Withey,	
Carpenter,			16

Senate bill No. 28, entitled

A bill to amend sections 3520, 3521 and 3522, of chapter 115 of the compiled laws, concerning the abatement and revival of suits in chancery,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

# YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Monroe,	
Backus,	French,	Owen,	
Bailey,	Gale,	Stout,	
Baker,	Galloway,	Strickland,	
Baldwin,	Green,	Tower,	
Briggs,	Ingersoll,	Webb,	
Brown,	Jones,	Wilder,	
Butterfield,	Lacy,	Williams,	
Carpenter,	McDermid,	Withey,	
Coulter,			28

# NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of said Senators.

**Senate bill No. 25, entitled**

**A bill to amend act No. 248, of the laws of 1859, an act to regulate fire, marine, life and health insurance companies, and their agents, associations, partnerships and individuals doing fire, marine, life and health insurance business incorporated by the State of Michigan, approved Feb. 1**

**Was read a third time and passed, a majority of all members elect voting therefor, as follows:**

**YEAS.**

<b>Mr. Backus,</b>	<b>Mr. Coulter,</b>	<b>Mr. Monroe,</b>
Bailey,	DeLand,	Stout,
Baker,	Gale,	Strickland,
Baldwin,	Galloway,	Tower,
Briggs,	Ingersoll,	Webb,
Brown,	Jones,	Wilder,
Butterfield,	Lacy,	Williams,
Carpenter,	McDermid,	Withey,

**NAYS.**

<b>Mr. Adair,</b>	<b>Mr. Green,</b>	<b>Mr. Owen,</b>
French,		

**The title was agreed to, and the bill ordered to take effect by a vote of two-thirds of said Senators.**

**The Senate then adjourned.**

*Lansing, Monday, January 28,*

**The Senate was called to order by the President at 10**

**Prayer by Rev. Mr. Gillet.**

**Roll called : quorum present.**

**The journal was read partially, and**

**On motion of Mr. Carpenter,**

**The rule requiring the journal to be read was suspended to-day, and the further reading was dispensed with.**

**PETITIONS PRESENTED.**

**By Mr. DeLand : petition of M. M'Gee, M. Shoemaker, Johnson, J. B. Eaton, and 70 other citizens and business men of the city of Jackson, for a stringent usury law;**

**Which was referred to the committee on finance.**

By Mr. Baker: petition of J. M. Johnson and 34 others, asking that a portion of the village of Hudson may be set back into the town of Hudson;

Which was referred to the committee on towns and counties.

Also, petition of M. B. Perkins, C. V. Rude, W. H. Johnson and 103 others, citizens of Lenawee and Hillsdale counties, praying for an appropriation of 12,000 acres of swamp land for making the county line road, from the Ohio State line to the limits of the corporation of the village of Hudson ;

Which was referred to committee on public lands.

#### REPORTS OF STANDING COMMITTEES.

By the committee on agriculture:

The committee on agriculture, to whom was referred

A bill to amend an act entitled an act to provide against the recovery of damages done by beasts on lands not enclosed by a lawful fence, approved March 17, 1847, being section 628 of the compiled laws,

Have had the same under consideration, and have instructed me to report the same back to the Senate without amendment, and without recommendation, and ask to be discharged from the further consideration of the same.

IRA H. BUTTERFIELD, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole and placed on the general order.

By the committee on State affairs :

The committee on State affairs, to whom was referred

A bill to establish the Detroit House of Correction, and to authorize the confinement of convicted persons therein,

Report that they have had the same under consideration, and herewith return it to the Senate, without amendment, and recommend that it do pass.

BYRON G. STOUT, *Chairman.*

The report was accepted, the committee discharged, and the

bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

House bill No. 21, relative to the support of poor per the public ;

Also,

House bill No. 15, being

A bill to repeal an act entitled an act to prevent the sale of alcoholic liquors, and to punish persons who sell or offer to sell adulterated liquors and other adulterated beverages, approved February 15, 1859,

Report that they have had the same under consideration, and return them both to the Senate without recommendation

B. G. STOUT, *Chair*

The report was accepted, the committee discharged, the bills referred to the committee of the whole, and placed on the general order.

By the committee on incorporations:

The committee on incorporations, to whom was referred

A bill to amend "an act entitled an act to revise the charter of the city of Detroit, approved Feb. 5th, 1857,"

Have had said bill under consideration, and respectfully report the same back to the Senate without amendment, recommend its passage, and ask to be discharged from further consideration of the subject.

JOS. R. WILLIAMS, *Chair*

The report was accepted, the committee discharged, the bill ordered printed, referred to the committee of the whole, and placed on the general order.

## MESSAGES FROM THE OTHER HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, January 26, 1861. }

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following entitled bill:

A bill to authorize fractional school district No. 3, of the townships of Sylvan and Lima, county of Washtenaw, to issue bonds;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill read twice and referred to the committee on public instruction.

## MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Backus moved that the vote taken on Saturday last on the bill to extend the time for the collection of taxes in the township of Groveland, in the county of Oakland, for the year 1860, be re-considered ;

Which motion prevailed.

The bill being then placed before the Senate,

Mr. Tower moved to amend by inserting "the township of Orleans, in the county of Ionia."

Which was adopted.

Mr. Stout moved that the bill be referred to the committee on enrolled bills, with instructions to make the necessary amendments, and report as soon as convenient ;

Which motion prevailed.

Mr. Monroe, in pursuance of previous notice, introduced

A bill to incorporate Tyre lodge of free and accepted masons;

Which was read twice, and referred to the committee on corporations.

Mr. Baker offered the following :

*Resolved*, (the House concurring,) That the joint commission on investigation of the Treasury be authorized and requested to make a full examination of all matters touching the let the contract for repairs upon St. Mary's canal, and they be authorized to send for persons and papers ;

Which was adopted.

Mr. DeLand moved that the resolutions of the General Assembly of Virginia be taken from the table and referred to a special committee.

Which motion prevailed.

The President announced as such special committee Senators DeLand, Carpenter and Monroe.

Mr. DeLand, previous notice having been given, introduced

A bill to change the name of John Gregg to Charles W. Hill;

Which was read twice and referred to the committee on affairs.

Mr. Briggs, in pursuance of previous notice, introduced

A bill to amend section 12, of chapter 23, of the code of laws, relative to the obstruction of the navigation of rivers and streams declared public highways;

Which was read twice, and referred to the committee on judiciary.

Mr. Strickland moved that Senate bill No. 24 be taken from the table;

Which motion prevailed, and

On motion of Mr. Withey,

The bill was recommitted to the committee of the whole

The rules were here suspended, to enable the committee on enrollment and engrossment to report back, with the amendments thereto, the bill to extend the time for the collection of taxes in the township of Groveland, in the county of Oakland, and in the township of Orleans, in the county of



The report was made, accepted, and the bill placed on the order of third reading.

## THIRD READING.

A bill to extend the time for the collection of taxes in the township of Groveland, in Oakland county, and in the township of Orleans, in the county of Ionia for the year 1860,

Was read a third time and passed, by a majority vote of all the Senators elect, by yeas and nays as follows :

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Stout,	
Backus,	French,	Strickland,	
Bailey,	Ingersoll,	Tower,	
Brown,	Jones,	Webb,	
Butterfield,	Lacy,	Wilder,	
Carpenter,	Monroe,	Withey,	
Coulter,	Owen,		20

## NAYS.

Mr. Baker,	Mr. Gale,	Mr. Williams,	
Briggs,	Green,		4

The title was agreed to, and the bill ordered to take immediate effect by the vote of two-thirds of all of said Senators.

A bill to provide for the extension of time for the collection of taxes in the township of Caseville, in the county of Huron, for the year 1860,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. Coulter,	Mr. Owen,	
Backus,	DeLand,	Stout,	
Bailey,	Green,	Strickland,	
Baldwin,	Ingersoll,	Tower,	
Briggs,	Jones,	Webb,	
Brown,	Lacy,	Wilder,	
Butterfield,	McDermid,	Withey,	
Carpenter,	Monroe,		23

## NAYS.

Mr. Baker,	Mr. Gale,	Mr. Williams,	
French,			4

The title was agreed to, and the bill ordered to take immediate effect, by a two-thirds vote of said Senators.

A bill to amend section 3926 of the compiled laws, in relation to criminal jurisdiction of justices of the peace,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Backus,	Mr. Coulter,	Mr. Jones,
Baker,	DeLand,	Lacy,
Baldwin,	French,	McDermid,
Briggs,	Gale,	Strickland,
Brown,	Galloway,	Webb,
Butterfield,	Green,	Withey,
Carpenter,	Ingersoll,	

## NAYS.

Mr. Adair,	Mr. Owen,	Mr. Wilder,
Bailey,	Stout,	Williams,
Monroe,	Tower,	

The title was agreed to.

A bill to amend section No. 3563, of the compiled laws of 1857, relative to proceedings in chancery for the foreclosure of mortgages;

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. Butterfield,	Mr. Lacy,
Backus,	Coulter,	McDermid,
Baker,	French,	Monroe,
Baldwin,	Galloway,	Strickland,
Briggs,	Green,	Williams,
Brown,	Ingersoll,	Withey,

## NAYS.

Mr. Bailey,	Mr. Jones,	Mr. Tower,
DeLand,	Stout,	Wilder,

The title was amended and agreed to.

The Senate then took a recess until 2 o'clock P. M.

## AFTERNOON SESSION.

The Senate was called to order by the President at 2 o'clock.  
Roll called : a quorum present.

Mr. Stout moved a call of the Senate ;

Which call, being ordered, the roll was called and Senators Coulter, Green, Ingersoll, Monroe, Owen, Strickland and Wilder, were reported absent without leave.

The Sergeant-at-Arms was dispatched for the absentees, who severally, except Mr. Coulter, presented themselves at the bar of the Senate, and were permitted to take their seats ; and,

On motion of Mr. Carpenter,

All further proceedings under the call were dispensed with.

The President, with the consent of the Senate, announced the following

## MESSAGE FROM THE OTHER HOUSE:

HOUSE OF REPRESENTATIVES, }  
*Lansing, January 28, 1861.* }

*To the President of the Senate :*

SIR :—I am instructed by the House to transmit the following entitled bill:

A bill to authorize the trustees of the First Methodist Episcopal Church of Lansing to convey to the trustees of the Central Methodist Episcopal Church of Lansing, lot No. 6, in block No. 96, in the city of Lansing ;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, has been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill read twice and placed on the order of third reading.

## GENERAL ORDER.

On motion of Mr. Ingersoll,  
The Senate went into committee of the whole on the g  
order,

Mr. Jones in the chair.

After some time spent thereon, the committee rose  
through their chairman, made the following report :

The committee of the whole have had under considerati  
following entitled bills :

A bill to authorize the supreme and circuit courts to a  
a crier;

A bill to amend act No. 104, session laws of 1859, and  
section 8, of chapter 38, of the revised statutes of 184  
tive to the support of poor persons by the public, (co  
laws, section 1459) ;

A bill making appropriations for the salaries of State  
for the years 1861 and 1862 ;

A bill to amend section 837 of the compiled laws;

Have made several amendments thereto, and have di  
their chairman to report the same back to the Senate, a  
concurrence therein, and recommend their passage.

GILMAN C. JONES, *Chair*

The report was accepted, the amendments of the co  
tee concurred in, in gross, and the several bills referred  
committee on enrollment and engrossment.

The Senate then adjourned.

---

*Lansing, Tuesday, January 29, 18*

The Senate was called to order at 10 o'clock.

Prayer by Rev. Mr. Armstrong.

Roll called : a quorum present.

The Journal was read and approved.

## PETITIONS PRESENTED.

By Mr. Ingersoll: petition of Marilla Parsons, asking an alteration in the present boundaries of the village of Corunna, in the county of Shiawassee;

Referred to the committee on towns and counties.

By Mr. Baker: remonstrance of W. T. Schemerhorn, John J. Brek and 75 others, against any alteration of the chartered limits of the village of Hudson;

Referred to the committee on incorporations.

By Mr. Carpenter: petition of Rev. Asa Mahan, John McEl-downey and 250 others, of Lenawee county, for a law restoring the prohibitory liquor law of 1855, in its first section, so as to make it as it was originally enacted; also, for amending the law in relation to adulterated liquors, so as to dispense with the inspectors, and make it a penal offence to sell adulterated liquors;

Also, of S. F. R. Mapes, F. H. Bailey and 250 others, of the same county, for the same object;

Also, of James Swords and 75 others, of the same county, for the same object.

Referred to the committee on State affairs.

By Mr. Lane: petition of the trustees of the First Presbyterian Society of Ann Arbor, in the county of Washtenaw, for the enactment of a law authorizing them to borrow money;

Referred to the committee on judiciary.

By Mr. Baldwin: petition of Francis Raymond and 18 others, for a law providing for a county superintendent of schools in each organized county in the State, and for reducing the number of school inspectors;

Referred to the committee on public instruction.

By Mr. Williams: petition of Lewis A. Leland and 16 others, of St. Joseph county, praying for an amendment of act 176, session laws of 1859, for the protection of game;

Referred to the committee on State affairs.

By Mr. Tower: remonstrance of Moses Tompkins, Wm. Com-

stock and 90 others, against the change of boundary of ( and other counties;

Referred to the committee on division of towns and co

#### REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary :

The committee on the judiciary, to whom was referred

House bill No. 34, to provide for changing the names of and adopted children and of other persons,

Have had the same under consideration, and would re fully report that in the opinion of your committee the prov of the bill are highly salutary, and will prevent the re applications to the legislature for the changing of names, not only consumes a large amount of time, but incumbe session laws with their merely private matter. Your com therefore report the bill back to the Senate, with an a ment by inserting after the word "poor," in the fifth li words "or of any authorized officer or agent of any insti or association, either public or private, in this State o where ;" and after the word "poor," in the tenth line, insc same words ; and after the word "if," in the twenty- line, strike ut the words "A real," and insert the words she were in fact the ;" and so amended, they recommen bill do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairn*

The report was accepted, the committee discharged amendments concurred in, and the bill ordered to a third ing.

By the same committee :

The judiciary committee, to whom was referred

Joint resolution to amend the constitution as to removal appointments to office,

With instructions to report whether section 37, article the constitution does not give the Legislature power to the provisions contemplated by the said resolution ;

Have had the same under consideration, and would respectfully report that in the opinion of your committee, said article does not make the ample provision for the difficulty contemplated by the resolution, which the nature and the importance of the subject demands. Your committee, therefore, report back said resolution, with two amendments. 1st. In the tenth line, after the word "State," to insert the words, "except Legislature and judicial;" and in the eleventh line, after the word "office," insert the words, "and report the causes of such removal to the Legislature at its next session;" and so amended recommend that the same do pass.

All which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, the amendments concurred in, and the bill ordered to a third reading.

By the same committee :

The committee on the judiciary, to whom was referred

A bill to amend section 12, of chapter 23, of the compiled laws, relative to the obstruction of the navigation of rivers or streams, declared public highways.

Have had the same under consideration, and would respectfully report the same back to the Senate, with the recommendation that it do pass.

All which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the same committee:

The committee on the judiciary, to whom was referred the petition of the supervisors of Cass county, in reference to a change of the probate laws as to fees; also, the petition of Clifford Shanahan on the same subject, have had the matter under consideration, and would respectfully report, that so far

as any change would be desirable in the opinion of your committee, the same has been provided for by a bill already and now pending before the Senate.

Your committee, therefore, report said petition back to the Senate, and recommend no action on the same, and are discharged from the further consideration thereof.

All which is respectfully submitted.

H. T. BACKUS, *Chairman*

The report was accepted, the committee discharged, and petitions laid on the table.

By the committee on public instruction:

The committee on public instruction to whom was referred

A bill to authorize fractional school district No. 3, of the townships of Sylvan and Lima, in the county of Washtenaw to issue bonds;

Respectfully report that they have had the same under consideration, and return it herewith to the Senate without recommendation, and recommend that it do pass.

N. WEBB

*In behalf of Committee on Public Instruction*

Report accepted, the committee discharged, and ordered to a third reading.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to change the name of John Gregg to Charles V. Hill;

Also,

A bill to change the name of Sarah B. Blanchard, to Markham, and Charles Blanchard to Charles Markham;

Report that they have had the several bills under consideration, and herewith return them to the Senate, with the recommendation that they do pass.

B. G. STOUT, *Chairman*

The report was accepted, the committee discharged, and bills laid on the table.



By the committee on finance :

The committee on finance, to whom was referred the petition from the supervisors of Houghton county, asking legislative action, for the adjustment of the specific mining taxes due that county, and for an appropriation of money to construct and complete various roads in the Upper Peninsula, have had the same under consideration, and beg leave to report :

That the supreme court has, by writ of mandamus, commanded the Auditor General to issue a warrant for the specific taxes due to Houghton county. Further action is therefore unnecessary. Your committee are also of opinion that legislative action for the building of roads, as desired by the petitioners, would be inexpedient at the present time.

H. P. BALDWIN, *Chairman*.

The report was accepted, the committee discharged, and the petition laid on the table.

By the same committee:

The committee on finance, to whom was referred the petition of the board of supervisors of Houghton county, asking the legislature to provide for the payment of such sums as may be due to the counties on the lands of the Saut St. Mary's canal company, have had the same under consideration, and would respectfully report a joint resolution appropriating the net receipts of the Saut St. Mary's canal for the year 1862, and as much longer as may be necessary, for the payment of the sums due the said counties for taxes on the lands of said company. Your committee are of the opinion that the receipts of the canal in 1862 and 1863 will fully liquidate the taxes due to the several counties on these lands.

All which is respectfully submitted.

H. P. BALDWIN, *Chairman*.

The report was accepted, the committee discharged, and the joint resolution read twice, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on enrolled bills :

The committee on enrolled bills, to whom was referred for engrossment,

A bill to amend section 837 of the compiled laws, relative to the collection and return of taxes ;

Also,

A bill to amend section 8, of chapter 38, of the revised statutes of 1846, as amended by an act entitled an act to amend chapter 40 of the compiled laws, relative to the support of poor persons by the public, approved February 11, 1859 ;

Also,

A bill to authorize the Supreme Court to appoint a crier ;

And, also,

A bill making appropriations for the salaries of the State officers, for the years 1861 and 1862 ;

Have had said bills under consideration, and respectfully report the same back to the Senate, correctly engrossed.

H. C. BRIGGS, *Chairman*.

By the committee on public instruction:

The committee on public instruction, to whom was referred

A bill to consolidate, revise, and amend the several acts incorporating the trustees of the Wesleyan Seminary at Albion, and the acts amendatory thereto ;

Report that they have had said bill under consideration, and return the same without amendment, and recommend that the same do pass.

S. L. WITHEY, *Chairman*.

- The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on enrolled bills:

The committee on enrolled bills, to whom was referred

A bill to extend the time for the collection of taxes in the townships of Clyde, Columbus and St. Clair, in the county of St. Clair ;

Also,

A bill to extend the time for the collection of taxes in the

townships of Clay, Kimball and Riley, in the county of St. Clair;

Respectfully report that they have had the same under consideration, and return them to the Senate correctly enrolled.

H. C. BRIGGS, *Chairman*.

The Report was accepted, and the bills signed and presented to the Governor.

By the committee on public instruction :

The committee on public instruction, to whom was referred

A bill to provide for the incorporation of associations for the publication of books, tracts, documents, and other matters of a religious, historical, literary and educational character;

Report that they have had said bill under consideration, have made amendments to the title and body of the bill, and as amended, return the same to the Senate, and recommend that the bill, as amended, do pass.

S. L. WITHEY, *Chairman*.

The report was accepted, the amendments concurred in, and the bill referred to the committee of the whole and placed on the general order.

MESSAGE FROM THE OTHER HOUSE.

The President announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, January 29, 1861.* }

*To the President of the Senate :*

SIR :—I am instructed by the House to transmit the following entitled bill :

A bill to repeal act No. 197, of the session laws of 1859, being an act entitled an act to restore certain sections of land to town six south of range five east, approved February 15, 1859 ;

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same

to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives*

The message was laid on the table, and the bill ordered rolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, January 28, 1861. }*

*To the President of the Senate:*

SIR:—I am instructed to transmit to the Senate the following entitled bills:

A bill to authorize the trustees of the First Congregational Church of Lawrence, Van Buren county, to mortgage real estate;

Also,

A bill to amend an act entitled an act to establish teacher institutes, approved February 10, 1855 ;

Also,

A bill to change the name of the Algerville and Grand Blanc plank road company, to the name of Grand Blanc and Holl plank road company;

Which have passed the House by a majority vote of all the members elect, and the first of which, by a vote of two-thirds of all the members elect, has been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, the several bills read twice, the first named ordered to a third reading, the second referred to the committee on public instruction, and the third referred to the committee on incorporations.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, January 28, 1861. }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following entitled bills:

A bill to extend the time for the collection and return of taxes in the township of Groveland, Oakland county, and the township of Orleans, in the county of Ionia, for the year 1866;

Also,

A bill to extend the time for the collection of taxes in the township of Caseville, in the county of Huron, for the year 1860;

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bills ordered enrolled.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, January 29, 1861. }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following entitled bill:

A bill to amend an act to provide for the construction of train railways, approved Feb. 18, 1855, by adding three new sections thereto, to be numbered sections 33, 34 and 35;

The title of which bill the House has amended by striking out the word "three" in second line, and inserting the word "two" in place thereof; also, by striking out the word and figures "and 35," in third and fourth lines, and insert the word "and" after the figures "33," in third line;

In the passage of which the House has concurred by a major-

ity vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives*

The message was laid on the table, and bill referred to committee on incorporations.

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Lane, previous notice having been given, introduced

A bill authorizing the trustees of the First Presbyterian society of Ann Arbor to borrow money and secure the payment of the same;

Which was read twice, and referred to the committee on the judiciary.

Mr. Backus gave notice that on some future day he would ask leave to introduce

A bill to regulate proceedings in cases of recoupment;

Also,

A bill to authorize a judgment and execution against sureties on the forfeiture of recognizances.

Mr. Owen gave notice that on some future day he would ask leave to introduce

A bill to amend chapter 177 of the compiled laws, being an act to protect the rights and liberties of the inhabitants of this State.

Mr. Ingersoll, leave being granted, introduced

A bill to amend sections 14 and 16, and to repeal section 15 of chapter 184 of compiled laws, relating to the action of ejectment.

Which was read twice, and referred to the committee on the judiciary.

Mr. Monroe, pursuant to notice, introduced

A bill to alter and amend chapter 22 of title 9 of the compiled laws, in relation to laying out, altering and discontinuing public roads and highways.

read twice, and referred to the committee on judges.

and gave notice that on some future day he would introduce

regulate the manner of attaching unorganized territories and counties for judicial and municipal purposes.

of Mr. Baldwin,

and No. 37 was taken from the general order, the

the whole being discharged from the consideration

and referred to the committee on the Asylum for

deaf and Blind.

and gave notice that on some future day he would

introduce

amend chapter one hundred and ninety-four of the

act.

and gave notice that he would on to-morrow ask leave

to repeal section 139, of chapter 6, of the compiled

#### THIRD READING.

No. 26, being

an act appropriating for the salaries of State officers

for the years 1861 and 1862,

the order of third reading, and the consent of the

Senate given,

Mr. Baldwin moved to amend by restoring the words "for the

District Attorney of the Upper Peninsula, seven

hundred dollars," in the place of the amendment made in the

amendment to the whole.

Mr. Baldwin, with the consent of the Senate, moved to amend

the bill by striking out "seven hundred" and inserting

"fifty and fifty" in lieu thereof;

the amendment was withdrawn, and

Mr. Baldwin moved, as a substitute, to insert the words "for

the District Attorney of the Upper Peninsula, a

sum at the rate of \$700 per annum, so long as the office continues;"

Which motion prevailed.

The bill, as amended, was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Monroe,	
Backus,	French,	Near,	
Bailey,	Galloway,	Owen,	
Baker,	Green,	Stout,	
Baldwin,	Hazen,	Strickland,	
Briggs,	Ingersoll,	Tower,	
Brown,	Jones,	Webb,	
Butterfield,	Lacy,	Wilder,	
Carpenter,	Lane,	Williams,	
Coulter,	McDermid,	Withey,	30

## NAYS.

Mr. Gale, 1

The title was agreed to.

Senate bill No. 21, being

A bill to authorize the supreme court to appoint a crier, . . .

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. Carpenter,	Mr. Lacy,	
Backus,	Coulter,	McDermid,	
Bailey,	DeLand,	Monroe,	
Baker,	French,	Tower,	
Baldwin,	Galloway,	Williams,	
Briggs,	Green,	Withey,	
Brown,	Ingersoll,		20

## NAYS.

Mr. Butterfield,	Mr. Lane,	Mr. Strickland,	
Gale,	Near,	Webb,	
Hazen,	Owen,	Wilder,	
Jones,	Stout,		11

The title was agreed to.

House bill No. 21, being

A bill to amend section 8, of chapter 33, of the revised statutes of 1846, as amended by an act entitled an act to amend



chapter 40 of the compiled laws, relative to the support of poor persons by the public, approved February 11, 1859,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. Gale,	Mr. Owen,	
Backus,	Galloway,	Stout,	
Bailey,	Green,	Strickland,	
Baldwin,	Ingersoll,	Tower,	
Briggs,	Jones,	Webb,	
Brown,	Lacy,	Wilder,	
Coulter,	McDermid,	Williams,	
DeLand,	Monroe,	Withey,	
French,	Near,		26

## NAYS.

Mr. Baker,	Mr. Butterfield,	Mr. Carpenter,	3
------------	------------------	----------------	---

The title was agreed to.

Senate bill No. 23, being

A bill to amend section 837 of the compiled laws, relative to the collection and return of taxes,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. French,	Mr. Monroe,	
Backus,	Gale,	Near,	
Bailey,	Galloway,	Owen,	
Baker,	Green,	Stout,	
Baldwin,	Hazen,	Strickland,	
Briggs,	Ingersoll,	Tower,	
Brown,	Jones,	Webb,	
Butterfield,	Lacy,	Wilder,	
Carpenter,	Lane,	Williams,	
Coulter,	McDermid,	Withey,	
DeLand,			31

## NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect, by a vote of two-thirds of all said Senators.

House bill No 34, being

A bill to provide for changing the names of minor and adopted children, and of other persons,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. French,	Mr. Monroe,
Backus,	Galloway,	Near,
Baker,	Green,	Owen,
Baldwin,	Hazen,	Strickland,
Briggs,	Ingersoll,	Webb,
Brown,	Jones,	Williams,
Butterfield,	Lacy,	Withey,
Coulter,	McDermid,	

23

## NAYS.

Mr. Carpenter,	Mr. Gale,	Mr. Lane,
DeLand,		

4

The title was agreed to, and the bill ordered to take immediate effect, by a vote of two-thirds of all of said Senators.

House bill entitled

A bill to authorize the trustees of the First Methodist Episcopal Church of Lansing to convey to the Central Methodist Episcopal Church of Lansing, lot No. 6, in block No. 96, in the city of Lansing,

Came up for a third reading, and

On motion of Mr. Strickland,

Was laid on the table.

Senate joint resolution No. 4, entitled

Joint resolution to provide for an amendment to the constitution, relative to removals from office,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Monroe,
Backus,	French,	Near,
Bailey,	Gale,	Owen,
Baker,	Galloway,	Stout,
Baldwin,	Hazen,	Strickland,
Briggs,	Ingersoll,	Tower,
Brown,	Jones,	Webb,
Butterfield,	Lacy,	Wilder,
Carpenter,	Lane,	Williams,
Coulter,	McDermid,	Withey,

30

## NAYS.

1

agreed to.

o. 49, being

authorize fractional school district number three, of  
of Sylvan and Lima, county of Washtenaw, to

third time and passed, a majority of all the Sena-  
g therefor, as follows :

## YEAS.

Mr. French,  
Gale,  
Galloway,  
Green,  
Hazen,  
Ingersoll,  
Jones,  
Lacy,  
Lane,  
McDermid,

Mr. Monroe,  
Near,  
Owen,  
Stout,  
Strickland,  
Tower,  
Webb,  
Wilder,  
Williams,  
Withey,

31

## NAYS.

0

agreed to, and the bill ordered to take immedi-  
vote of two-thirds of all of said Senators.

o. 22, being

olidate, revise and amend the several acts incor-  
trustees of the Wesleyan Seminary at Albion, and  
atory thereto,

a third reading, and

Mr. Owen,

recommitted to the committee of the whole, and  
general order.

entitled

authorize the trustees of the First Congregational  
rence, Van Buren county, to mortgage real es-

third time and passed, a majority of all the Sen-  
g therefor, as follows :

## YEAS.

Mr. Adair,	Mr. French,	Mr. Near,	
Backus,	Green,	Owen,	
Bailey,	Hazen,	Stout,	
Baker,	Ingersoll,	Strickland,	
Baldwin,	Jones,	Tower,	
Briggs,	Lacy,	Webb,	
Brown,	Lane,	Wilder,	
Butterfield,	McDermid,	Williams,	
Coulter,	Monroe,	Withey,	27

## NAYS.

Mr. Gale,			1
-----------	--	--	---

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

- Mr. Tower, with the consent of the Senate, introduced the following:

*Resolved by the Senate, (the House concurring,) That when this legislature adjourn on Friday next, that it be until the Wednesday following.*

Mr. Monroe moved to amend by striking out "Wednesday" and inserting "Thursday."

Mr. Carpenter moved to lay the motion on the table;

Which motion prevailed by the following vote :

## YEAS.

Mr. Bailey,	Mr. Carpenter,	Mr. Near,	
Baker,	DeLand,	Owen,	
Baldwin,	Galloway,	Wilder,	
Briggs,	Green,	Williams,	
Brown,	Lacy,	Withey,	
Butterfield,	Lane,		17

## NAYS.

Mr. Adair,	Mr. Hazen,	Mr. Owen,	
Backus,	Ingersoll,	Strickland,	
Coulter,	Jones,	Tower,	
French,	McDermid,	Webb,	
Gale,	Monroe,		14

Mr. Ingersoll moved to take the resolution from the table,

Which motion prevailed, by the following vote :

## YEAS.

Mr. Adair,	Mr. Gale,	Mr. Near,	
Backus,	Galloway,	Owen,	

Bailey,	Hazen,	Stout,
Baker,	Ingersoll,	Strickland,
Baldwin,	Jones,	Tower,
Coulter,	McDermid,	Webb,
French,	Monroe,	

20

## NAYS.

Mr. Briggs,	Mr. DeLand,	Mr. Wilder,
Brown,	Green,	Williams,
Butterfield,	Lacy,	Withey,
Carpenter,	Lane,	

11

The pending motion being to amend by striking out "Wednesday" and inserting "Thursday," did not prevail, the following being the vote thereon:

## YEAS.

Mr. Adair,	Mr. Gale,	Mr. Near,
Backus,	Ingersoll,	Owen,
Coulter,	Monroe,	Tower,

9

## NAYS.

Mr. Bailey,	Mr. DeLand,	Mr. Lane,
Baker,	French,	McDermid,
Baldwin,	Galloway,	Stout,
Briggs,	Green,	Webb,
Brown,	Hazen,	Wilder,
Butterfield,	Jones,	Williams,
Carpenter,	Lacy,	Withey,

21

The question being on the adoption of the resolution the same was lost, by yeas and nays as follows :

## YEAS.

Mr. Adair,	Mr. French,	Mr. Near,
Backus,	Galloway,	Owen,
Baldwin,	Ingersoll,	Stout,
Coulter,		

10

## NAYS.

Mr. Bailey,	Mr. Gale,	Mr. Monroe,
Baker,	Green,	Tower,
Briggs,	Hazen,	Webb,
Brown,	Jones,	Wilder,
Butterfield,	Lacy,	Williams,
Carpenter,	Lane,	Withey,
DeLand,	McDermid,	

20

The Senate then took a recess until 2 o'clock, P. M.

## AFTERNOON SESSION.

The Senate was called to order at half past two o'clock.

Roll called : a quorum present.

## GENERAL ORDER.

On motion of Mr. Ingersoll,

The Senate went into committee of the whole on the general order,

Mr. Brown in the chair ;

After some time spent therein, the committee rose and through their chairman, made the following report :

The committee of the whole have had under consideration the following entitled bill:

House bill No. 24, being

A bill to amend sections 9 and 34, of chapter 128, of the compiled laws, relative to the selection and return of jurors;

Have made several amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend its passage.

The committee have also had under consideration

House bill No. 26, being

A bill to confirm deeds and instruments for the conveyance of real estate in certain cases,

Have made no amendment thereto, and have directed their chairman to report the same back to the Senate, and recommend its passage.

S. F. BROWN, *Chairman.*

The report was accepted, the amendments concurred in, and the bills ordered to a third reading.

The Senate then adjourned.

*Lansing, Wednesday, January 30, 1861.*

called to order at 10 o'clock A. M.

Mr. Gillet.

quorum present.

and approved.

asked and obtained leave of absence for Mr  
indefinite period.

**PETITIONS PRESENTED.**

roll: petition of W. H. Taylor, Milo Blair and  
g for the removal of Hon. W. F. Woodruff,  
judicial district;

committee on the judiciary.

field: remonstrance of William Cane and 80  
the discontinuance of a highway in the town-  
published by act 229, of session laws of 1859;  
of Charles L. Hutchins, Nelson J. James and  
on the same subject;

committee on roads and bridges.

: petition of W. B. Williams, Hannibal Hart,  
and 17 others, citizens of Allegan county, pray-  
t of a law whereby persons who observe the  
one week as the Sabbath may be relieved from  
to appear in suits upon that day;

committee on judiciary.

petition of Thomas Norton and 153 others, for  
swamp lands to aid in building a road from the  
, in the county of St. Clair, running east to  
the Port Huron and Brockway road in the town-

of Patrick Keneda and 112 others, for the same;  
committee on public lands.

**REPORTS OF STANDING COMMITTEES.**

tee on the judiciary:

on the judiciary, to whom was referred a peti-

A bill authorizing the First Presbyterian Society in Ann Arbor to make a loan on a mortgage of their property,

Have had the same under consideration, and would respectfully report the said petition and bill back to the Senate, and recommend said bill do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman*.

The report was accepted, the committee discharged, the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary :

The committee on the judiciary, to whom was referred

A bill to amend sections 14 and 16, and to repeal section 15, of chapter 134, of compiled laws, in relation to actions of ejectment,

Have had the same under consideration, and would respectfully report that the subject contained in the bill referred is already substantially provided for in a bill now pending before the Senate. They therefore report the bill back and recommend no further action on the same.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman*.

The report was accepted, the committee discharged, and the bill laid on the table.

By the committee on engrossment and enrollment:

The committee on enrolled bills to whom was referred

A bill to extend the time for the collection and return of taxes in the township of Groveland, in the county of Oakland, and the township of Orleans, in the county of Ionia, in the year 1860;

Also,

An act to repeal act No. 197 of the session laws for the year 1859, being an act entitled an act to restore certain sections of land to town 6 south, of range 5 east, approved February 15, 1859;

Also,



A bill to extend the time for the collection of taxes in the township of Caseville, in the county of Huron, for the year 1860,

Would respectfully report that they have had the same under consideration, and return them to the Senate correctly enrolled.

H. C. BRIGGS, *Chairman.*

The bills were signed and presented to the Governor.

By the committee on incorporations :

The committee on incorporations, to whom was referred House bill, entitled

A bill to change the name of the Algerville and Grand Blanc Plank Road Company to the name of the Grand Blanc and Holly Plank Road Company,

Have had the same under consideration, and respectfully report the same back to the Senate without amendment, with a recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

JOS. R. WILLIAMS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

#### MESSAGES FROM THE OTHER HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, January 29, 1861. }

To the President of the Senate :

SIR:—I am instructed by the House to transmit the following entitled bill:

A bill relative to the duties of township and county officers concerning receipts for moneys paid into the county treasury;

Which has passed the House by a majority vote of all the members elect, in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill read twice and referred to the committee on finance.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, January 30, 1861. }

*To the President of the Senate:* -

SIR:—I am instructed by the House to transmit the following entitled joint resolutions :

1. Joint resolution for the transfer of certain scientific works from the State Library to the library of the University ;

2. Joint resolution in regard to the renewal of the patent of McCormick's reaping machine ;

Which have passed the House by a majority vote of all the members elect, in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, the joint resolutions read twice, the first named referred to the committee on finance, and the last to the committee on manufactures.

#### MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Ingersoll, it was

*Resolved*, That the committee on the judiciary be and are hereby instructed, to inquire whether any and what additional legislation is necessary to define and punish treason against the State, and to report by bill or otherwise.

On motion of Mr. Stout,

The committee of the whole was discharged from the further consideration of Senate joint resolution No. 6, being

Joint resolution to provide for the printing and distribution of the report of the State Geologist;

Also, Senate bill No. 41, being

A bill to provide for the continuance of the State Geological survey,

And the joint resolution and bill were ordered to a third reading.

Mr. Strickland, by unanimous consent, introduced

A bill to abolish the office of District Attorney in the Upper Peninsula;

Which was read twice and referred to the committee on the judiciary.

Mr. Backus, leave being granted, introduced

A bill to regulate proceedings in case of recoupment;

Which was read twice, and referred to the committee on the judiciary.

Mr. DeLand, pursuant to notice, leave being granted, introduced

A bill to regulate the manner of attaching unorganized territory to organized counties for judicial and municipal purposes;

Which was read twice and referred to the committee on the judiciary.

Mr. Hazen gave notice that on some future day he would ask leave to introduce

A bill to amend section 14, of chapter 134, of the compiled laws, entitled of the action of ejectments.

Mr. Monroe, leave being granted, introduced

A bill to repeal section 139, of chapter 6, title 3, of the compiled laws;

Which was read twice and referred to the committee on the judiciary.

Mr. French, pursuant to notice, introduced

A bill to exempt sewing machines from levy and sale on execution;

Which was read twice, and referred to the committee on manufactures.

On motion of Mr. Green, it was

*Resolved*, That all petitions or other papers relating to the Jackson and Michigan Plank Road Co. be taken from the table, and referred to the committee on roads and bridges.

On motion of Mr. Strickland,

**House bill, entitled**

A bill to authorize the trustees of the First Methodist Episcopal Church of Lansing to convey to the trustees of the Central Methodist Episcopal Church of Lansing lot No. 6, in block number 96, in the city of Lansing,

Was taken from the table.

Mr. Strickland, with the consent of the Senate, moved to amend the bill, by adding, at the end thereof the following: "*Provided*, That no right of creditors of said First Methodist Episcopal Church shall by this act be jeopardized;"

Which motion prevailed, and the bill was ordered to a third reading.

**THIRD READING.**

House bill No. 26, being

A bill to confirm deeds and instruments for the conveyance of real estate in certain cases,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

**YEAS.**

Mr. Adair,	Mr. Coulter,	Mr. McDermid,	
Backus,	DeLand,	Monroe,	
Bailey,	French,	Near,	
Baker,	Galloway,	Strickland,	
Baldwin,	Green,	Wilder,	
Briggs,	Hazen,	Williams,	
Brown,	Ingersoll,	Withey,	
Butterfield,	Lacy,		23

**NAYS.**

Mr. Carpenter,	Mr. Lane,	Mr. Stout,
Gale,	Owen,	Tower,
Jones,		

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of said Senators.

House bill No. 24, entitled

A bill to amend sections 9 and 34, of chapter 103, of the revised statutes of 1846, compiled laws, vol. 2, sections 4351 and 4376,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Monroe,
Backus,	French,	Near,
Bailey,	Gale,	Owen,
Baker,	Galloway,	Stout,
Baldwin,	Green,	Strickland,
Briggs,	Hazen,	Tower,
Brown,	Ingersoll,	Wilder,
Butterfield,	Jones,	Williams,
Carpenter,	Lacy,	Withey,
Coulter,	McDermid,	

29

## NAYS.

Mr. Lane,	1
-----------	---

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

Senate joint resolution No. 6, being

Joint resolution to provide for the printing and distribution of the report of the State Geologist,

Came up for a third reading, when

Mr. Ingersoll asked and obtained the consent of the Senate to move to amend by striking out the word "five," in the fifth line, and inserting "eight" in lieu thereof.

Mr. Baldwin moved, as a substitute, that the following words be added to the end of the joint resolution : "and that two thousand additional copies be printed in stitched form, for distribution by the members and officers of the legislature ;

Which substitute was accepted by Mr. Ingersoll, and adopted by the Senate.

The joint resolution was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. McDermid,
Backus,	French,	Monroe,
Bailey,	Gale,	Near,
Baker,	Galloway,	Owen,
Baldwin,	Green,	Stout,

Briggs,  
Brown,  
Butterfield,  
Carpenter,  
Coulter,

Hazen,  
Ingersoll,  
Jones,  
Lacy,

Strickland,  
Wilder,  
Williams,  
Withey,

28

## NAYS.

Mr. Lane,

Mr. Tower,

Mr. Webb,

3

The title was agreed to.

House bill, entitled

A bill to authorize the trustees of the First Methodist Episcopal Church of Lansing to convey to the trustees of the Central Methodist Episcopal Church of Lansing lot number six, in block number ninety-six, in the city of Lansing,

Was read a third time and passed, by a majority vote of all the Senators elect, by yeas and nays, as follows:

## YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,  
Coulter,

Mr. DeLand,  
French,  
Gale,  
Galloway,  
Green,  
Hazen,  
Ingersoll,  
Jones,  
Lacy,  
Lane,

Mr. McDermil,  
Monroe,  
Near,  
Stout,  
Strickland,  
Tower,  
Webb,  
Wilder,  
Williams,  
Withey,

30

## NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all of said Senators.

House bill, entitled

A bill to change the name of the Algerville and Grand Blanc plank road company to the name of the Grand Blanc and Holy plank road company,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Backus,  
Bailey,  
Baker,  
Baldwin,

Mr. Gale,  
Green,  
Hazen,  
Ingersoll,

Mr. Near,  
Owen,  
Stout,  
Strickland,

Briggs,  
Brown,  
Butterfield,  
Carpenter,  
Coulter,

Lacy,  
Lane,  
McDermid,  
Monroe,

Tower,  
Webb,  
Williams,  
Withey,

25

## NAYS.

Mr. Adair,  
DeLand,

Mr. French,  
Jones,

Mr. Wilder,

5

On motion of Mr. Owen,

The vote by which the last named bill was passed was re-considered.

On motion of Mr. Monroe,

The bill was re-committed to the committee on incorporations.

Senate bill No. 41, being

A bill to provide for the continuance of the State Geological survey,

Being in the order of the third reading, and having been reached,

Mr. Stout, with the consent of the Senate, moved to amend by striking out the word "three," in the third line of section one, and inserting the word, "two" in lieu thereof;

Which motion prevailed.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,  
Coulter,

Mr. DeLand,  
French,  
Gale,  
Green,  
Hazen,  
Ingersoll,  
Jones,  
Lacy,  
Lane,  
McDermid,

Mr. Monroe,  
Near,  
Owen,  
Stout,  
Strickland,  
Tower,  
Webb,  
Wilder,  
Williams,  
Withey,

30

## NAYS.

0

The title was agreed to.

The President, with the consent of the Senate, announced the following

## MESSAGE FROM THE OTHER HOUSE:

HOUSE OF REPRESENTATIVES, }  
*Lansing, January 30, 1861.* }

*To the President of the Senate:*

SIR:—I am instructed to transmit to the Senate the following concurrent resolution:

Joint resolution authorizing the judiciary committees of both Houses to act as a joint committee on the memorial of the supervisors of Saginaw county, and others, praying for the removal of Hon. Wilber F. Woodworth as circuit judge of the tenth judicial circuit:

*Resolved*, (the Senate concurring.) That the judiciary committee of the Senate and House of Representatives act as a joint committee in the matter of the petition of the board of supervisors and sundry citizens of Saginaw county, praying for the removal of the Hon. Wilber F. Woodworth from the office of circuit judge, that said joint committee shall have power to send for persons and papers, to take testimony pertinent to the case, to administer oaths to witnesses, and to report such testimony with all convenient speed to the Senate and House of Representatives, with their opinion thereon;

Which has passed the House, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table.

Mr. Ingersoll moved that the Senate concur.

On motion of Mr. Brown,

The resolution was laid on the table.

The President announced a communication from the Governor.

On motion of Mr. Brown,

The Senate went into executive session.

The executive session closed, and

On motion of Mr. Brown,

The Senate then adjourned.



*Lansing, Thursday, January 31, 1861.*

called to order at 10 o'clock.

Mr. Armstrong.

quorum present.

ce was granted to Mr. Strickland.

as read and approved.

#### PETITIONS PRESENTED.

all : petition of B. Prindle and others for a law  
nty superintendents of schools;

committee on public instruction.

: petition of M. A. McNaughton and other  
f the county of Jackson, for a law protecting  
ng a tax on dogs ;

committee on agriculture.

#### REPORTS OF STANDING COMMITTEES.

tee on the judiciary:

on the judiciary, to whom was referred

ate proceedings in cases of recoupment,

same under consideration, and would respect-

ame back to the Senate, and recommend that it

spectfully submitted.

H. T. BACKUS, *Chairman.*

accepted, the committee discharged, and the

ed, referred to the committee of the whole, and

eral order.

mmittee :

on the judiciary, to whom was referred House.

ize appeals to circuit and district courts from

gs before justices of the peace,

ame under consideration, and would respect-

in the opinion of your committee the adoption

uld be subject to great objections, the pro-

ceedings affected by this bill being of a class in which the true interests of all parties require that they should be speedily terminated, among the most prominent of which are the proceedings to enforce highway labor, which, if subject to the tardy process of appeal, would to a great extent render useless that branch of the public revenue, which, of all others, ought to be speedy. Your committee therefore report the bill back to the Senate, and recommend that it do not pass.

All which is respectfully submitted.

H. T. BACKUS, *Chairman*.

The report was accepted, the committee discharged and the bill laid on the table.

By the committee on incorporations:

The committee on incorporations, to whom was recommended

A bill to amend an act to provide for the construction of train railways, approved February 13, 1855, by adding two new sections thereto, to be numbered sections 33 and 34,

As amended by the House, respectfully report that they have had the same under consideration, and report the same back to the Senate without amendment, with a recommendation that the amendments of the House, which were immaterial verbal corrections only, be concurred in. They ask to be discharged from a further consideration of the subject.

JOS. R. WILLIAMS, *Chairman*.

The report was accepted, the committee discharged, and the amendments concurred in, by yeas and nays, as follows :

**YEAS.**

Mr. Adair,  
Backus,  
Bailey,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,

Mr. Coulter,  
DeLand,  
French,  
Green,  
Hazen,  
Jones,  
Lacy,  
Lane,  
McDermid,

Mr. Monroe,  
Mulholland,  
Near,  
Stout,  
Tower,  
Webb,  
Wilder,  
Williams,  
Withey,

27

**NAYS.**

0

By the committee incorporations :

The committee on incorporations, to whom was referred

A bill to incorporate Tyre Lodge of free and accepted masons, of the village of Coldwater,

Have had the same under consideration, and have instructed me respectfully to report that they do not consider that the best interests of this State would be subserved by the incorporation of any number of affiliated lodges of any society, secret or otherwise ; that it has not been the policy of the Legislature of this State heretofore so to do except in rare cases; that such incorporations, if made at all, should be made by a general law regulating such corporations. Moreover, the bill in question contemplates that the by-laws and regulations of the Grand Lodge of the State shall be embraced in our legislation, which said laws and regulations we can neither abate nor enforce by any such vague enactments.

Your committee therefore report the bill back to the Senate with a recommendation that it do not pass.

J. CARPENTER,

*In behalf of Committee on Incorporations.*

The report was accepted, the committee discharged, and the bill referred to the committee of the whole and placed on the general order.

By the committee on State affairs :

The committee on State affairs, to whom was referred

A bill to change the name of the unorganized county of Otsego, to that of Robert ; and the organized county of Cheboygan to that of Anderson ; •

Report that they have had the bill under consideration, and having found no petition from the citizens of the organized county of Cheboygan, asking that the name of the county be changed, the committee, therefore, deem any such action inexpedient, and herewith return the bill with an amendment, to strike out all in reference to the county of Cheboygan. The committee further suggest the change of the name "Anderson,"

to "Seward," and with these amendments recommend that the bill do pass.

B. G. STOUT, *Chairman*.

By the committee on State affairs :

The committee on State affairs, to whom was referred

A bill to change the name of Nellie Frances Augur ;

Report that they have had the same under consideration, and herewith return it to the Senate, with the recommendation that it do pass.

BYRON G. STOUT, *Chairman*.

The report was accepted, the committee discharged, and the bills ordered to a third reading.

#### REPORT OF SPECIAL COMMITTEE.

Mr. DeLand, from the special committee to whom was referred the preamble and resolutions of the General Assembly of Virginia, submitted the following report :

The special committee to whom was referred the resolutions of the General Assembly of the State of Virginia, passed on the 19th day of January inst., have had the same under consideration, and beg leave to report :

That after as thorough deliberation as the brief time allowed your committee would admit, they have failed to discover any good and sufficient reason for any of the intestine strife that seems to exist between portions of the States of this Confederacy, or for the attempts now being made to disrupt the Union and destroy the Federal Constitution ; hence they do not feel disposed to recommend any action on the part of the Legislature of this State which shall seem to indicate any necessity for the assembling of a commission of the several States to revise or amend the Constitution. While agreeing, in the language of the preamble to the resolutions, that the present is an "unhappy controversy which now divides the States of this Union," we are not without the hope that it may soon meet a "satisfactory adjustment," by a speedy return of the dissatisfied States to their full and proper allegiance to the Constitution and the

and the submission of their grievances to the arbitrage of the United States—the only proper constituted tribunal to settle such differences.

They are not insensible to the feeling of devotion which has prompted this appeal, yet they lament the course in which it is couched is such as to lead to a loss of the propriety of acceding to the requests made, and that it is accompanied with a proposed amendment which is entirely at variance with all our policy, the maintenance of self-respect as co-members of a great confederacy, and the enduring principles of Liberty and Humanity.

It is extended to all slaveholding and non-slave-

“who are willing to unite with Virginia in an effort to adjust the present unhappy controversies in which the Constitution was framed, and consistent principles, so as to afford the people of the slave States adequate guarantees for the security of their rights.”

What of what those guarantees are taken and supposed to be, the resolutions referred to us undertake to say—the General Assembly of the State of Virginia consider a fair and proper basis of such settlements:

That in the opinion of the General Assembly of the United States embraced in the resolutions presented of the United States by the Hon. John J. Crittenden as that the first article proposed as an amendment of the United States shall apply to all the United States now held or hereafter acquired within thirty-six degrees and thirty minutes, and that slavery of the African race shall be effectually prohibited therein during the continuance of the Government, and the fourth article shall secure to the States the right of transit with their slaves between the non-slaveholding States and territories, constituting such an adjustment of the unhappy contro-

versy which now divides the States of this Confederacy, as would be accepted by the people of this Commonwealth."

So far from being conciliatory, this resolution precludes all possibility of adjustment. It not only makes a slave code for present territories south of 36:30 an ultimatum, but demands that all the domain hereafter acquired shall also be dedicated to slavery. No territory south of 36:30 shall ever be admitted into the Union as free soil. No matter what the choice of the people may be who inhabit those regions ; no matter what the climate or productions may be ; no matter what the character of the people or the capabilities of the country, from the moment it is recognized as territory of the United States slavery is legalized, protected and established throughout its length and breadth. The resolution demands that slavery shall be forced upon an unwilling people, forced on them in defiance of their wishes and protests and powers of resistance !

Without stopping to analyze further this proposed basis in all its bearings, your committee unhesitatingly express their belief that the people of this State should not and would not consent to any compromise with the slave States which allowed or favored the extension of African slavery into any of the common territories of the nation, to say nothing of granting the further compromises and demands therein contained, which would practically annul and render void one of the most cherished and sacred provisions of our State Constitution—that providing that slavery shall *never* exist in this State, except in punishment of crime.

Your committee have also met another, to them, serious objection. The assembly of Commissioners is called at a place and time when and where undue excitement exists, and where the danger that men may be swayed by passion and prejudice, rather than by reason, patriotism and judgment, is most imminent. The time for convening the convention is by far too summary and hurried to allow that careful and cautious deliberation the magnitude of the interests which it is to assume to dispose and decide, imperatively require. Sixteen days from the pass-

olutions, to the assembling of the Commissioners, give a period of time to transmit the resolutions, allow them to be presented to the various legislatures to calmly and judiciously deliberate upon the course of action and settle upon enlightened and consistent measures to represent and enforce their views, and after that allow the Commissioners to reach the place of assembling at national capital. Your committee cannot but look upon the haste either as a great oversight in the General Assembly of Virginia, or else intended to put it entirely out of the power to consult the wishes of the people of this State upon the issues involved, and hasten us into precipitous measures to compel remote States to an apparent refusal of their demands. In either case the effect is bad, and prudence seems to require that we keep entirely aloof, rather than jeopardize the interests and principles of human liberty by hasty, inconsiderate action.

Your committee beg leave to further trespass upon the time of the Senate by discussing a further objection. The resolution proposed to your committee provide that if said Commissioners, at a full and free conference, shall agree upon any amendment requiring amendments of the Constitution which would compromise the security of the rights of the people of the slave States, they are requested to communicate such amendments to the Congress, to be by it submitted to the people for ratification. In this resolution it would seem to be indicated that the Commissioners were to be restricted to proposing amendments to the security of the rights of the people of the slave States. This your committee regard as a stultification of the fact that the General Assembly of Virginia are willing to make the most earnest effort to adjust the controversies they present in the spirit in which the constitution was framed, and consistent with its principles. The spirit of the constitution was honorable concession, essential to the happiness and prosperity of the Union, and the spirit which animated the fathers was to establish

justice, and to secure the blessings of liberty to themselves and their posterity. After the most careful investigation, your committee have failed to discover any such spirit of concession manifested in these resolutions as was manifested by the fathers, and none of that spirit of hatred of human slavery or love of equal and exact justice to all men, which animated the framers of the federal constitution.

Again, your committee consider the fact that the action of the commissioners can only be considered advisory as another serious objection. If they cannot agree upon any common basis of settlement, the sectional animosity, now too rife, must be greatly increased, and indeed, if they do agree, it still depends upon Congress to say whether action shall be submitted to the people. The mode proposed of agreeing to amendments of the Constitution is novel and new; it is taking from Congress its constitutional privileges, and making it subservient to the demands of a few dissatisfied States whenever they may seek a modification of that instrument. All the loyal States are now represented in Congress, and all the dissatisfied States may be if they choose, and thus assembled in the Congress, each State upon an equal footing with the other, the privilege to amend the Constitution is undisputed. We can readily imagine the accumulated evils that would result from the rejection by the Congress of any propositions submitted by such commissioners; and yet we have no guarantee, but the probabilities all are that Congress would reject any and all propositions thus made.

Your committee are unanimous in the opinion that an assembly of commissioners like that proposed in the Virginia resolutions, should be composed of patriotic and Union-loving men; men wholly and entirely loyal to the Constitution and the government as it is. Only such men would seem to be capable of framing amendments to that compact "in the spirit in which it was originally formed, and consistently with its principles" and purposes. Yet your committee are surprised to find among the commissioners proposed by Virginia, men who within the present month have endorsed publicly the detestable and treasonable



ble doctrine of secession ; men who within the last thirty days have put upon record the assertion that the Constitution is a purely mercantile partnership, and denying the right of coercion of a State by the General Government ; doctrines wholly and entirely at variance with fact and the settled convictions of every Union-loving citizen. We deem it questionable policy, to say the least, to undertake to procure an honorable and equitable adjustment of existing difficulties with men now holding and giving currency to such manifestly improper and disloyal sentiments.

In conclusion, your committee would respectfully suggest in view of the facts and premises presented, that it is inexpedient and unnecessary, if not unwise and unsafe, for this Legislature at this time to take any action looking to, or intended for the amendment of the Constitution, or the re-construction of the Federal Government. We believe that ample power exists in the Congress to correct all abuses, and set aside all the grievances complained of by any of the States, and that any and all attempts by State Legislatures or the people of the States to usurp and use those powers are fraught with great danger to the stability of the Constitution and the perpetuity of the Union. While we have felt it our duty thus to refuse the request of our sister State, we do it out of no spirit of indifference to the responsibilities she has placed us under, and only regretting that the proposal is not couched in such terms and the mode of its accomplishment confined so strictly to the forms prescribed by the Federal Constitution, as to allow us to second her desires. Duty to ourselves, our principles, and the oft repeated sentiments of the people of this State as expressed through the ballot box, has left us no other alternative than to decline the propositions contained in the resolutions of the General Assembly of the honored, and, we believe, loyal and Union-loving people of Virginia.

We beg leave herewith to submit a preamble and joint resolutions relative to sending commissioners to confer with like commissioners from Virginia and other States, to assemble at

Washington on the 4th day of February, A. D. 1861, respectfully recommend their passage, and ask to be discharged from the further consideration of the subject.

All of which is respectfully submitted.

CHARLES V. DeLAND,  
J. CARPENTER,  
DARIUS MONROE.

*Special Committee.*

JOINT RESOLUTIONS relative to sending Commissioners to confer with similar Commissioners from Virginia and other States, to assemble at Washington, on the 4th day of February, A. D. 1861.

*Whereas*, The State of Virginia, by resolutions of its General Assembly, adopted on the 19th day of January, inst., has invited all such States, whether slaveholding or nonslaveholding, as are willing to unite with Virginia in an earnest effort to adjust the present unhappy controversy between the States or sections of the Union, in the spirit in which the Constitution was originally formed, and consistent with its principles, so as to afford the people of the slaveholding States adequate guarantees for the security of their rights, to appoint Commissioners to meet on the 4th day of February next, in the city of Washington, similar Commissioners appointed by Virginia, to consider, and if practicable agree upon some suitable adjustment;

*And whereas*, The people of the State of Michigan are now and ever have been loyal to the Constitution and Government of the United States, and believe the Constitution framed by our fathers, is amply sufficient for guaranteeing the rights and liberties of all sections of the country, and that it needs rather to be obeyed than amended ;

*And whereas*, The time allowed by the resolutions of the said General Assembly of Virginia, for the appointment and assembling of Commissioners is so brief as to prevent concert among our neighboring free States, and to render it nearly or quite impossible for such Commissioners from this State to reach Washington in time to attend such meeting on the 4th of February next;

*And whereas*, We believe the people of this State are not in favor of, and would never consent to accept the basis of settlement suggested in the resolutions of the General Assembly of the State of Virginia, to provide by Constitutional law to legalize and establish slavery in any of the common territories of this Nation; therefore

*Resolved by the Senate and House of Representatives of the State of Michigan*, That the people of Michigan are now and ever will be ready to co-operate with the friends of the Union and the Constitution everywhere, for its maintenance and preservation; to yield a cheerful obedience to its requirements; and expecting a like obedience from all others, we kindly and respectfully, for the reasons indicated in the foregoing preamble, decline to be represented by Commissioners in the manner and upon the terms proposed in the resolutions of the said General Assembly of the State of Virginia.

*Resolved further*, That the Governor be requested to forward a copy of the foregoing preamble and resolutions to the Commissioners of Virginia, and to our Senators and Representatives in Congress at Washington; also, to the President of the United States, and to the Governors of the several States of this Union.

The report was accepted, the committee discharged, the joint resolution read twice, and

On motion of Mr. French,

The rules and order of business were suspended, for the purpose of putting the joint resolution upon its immediate passage.

Mr Adair moved that the joint resolution be laid on the table;

Which motion did not prevail.

Mr. Stout offered, as a substitute for the joint resolution, the following

Joint resolutions appointing commissioners from this State to meet the commissioners from other States in convention on the 4th of February, in the city of Washington, to consider the state of the Union:

*Whereas*, The General Assembly of the commonwealth of Vir-

ginia have passed resolutions inviting all the States that are willing to unite with Virginia in an earnest effort to adjust the present unhappy controversies, in the spirit in which the Constitution was originally formed, and consistently with its principles, so as to afford the people of the slaveholding States adequate guarantees for the security of their rights, to appoint commissioners to meet on the 4th day of February next, in the city of Washington, similar commissioners appointed by Virginia, to consider, and if practicable, agree upon some suitable adjustment; therefore

*Resolved by the Senate and House of Representatives of the State of Michigan,* That the Constitution of the United States affords ample protection to the rights of the States and of the people, and imposes obligations, paramount and lasting, from which no State or citizen can be absolved.

*Resolved,* That any concession of amendments to those States which claim the right to absolve themselves at will from all allegiance to the Constitution, must only add obligation to be recognized by the loyal, and to be repudiated by all others.

*Resolved,* That the general disapproval of the Fugitive Slave Law has its foundation in the neglect of Congress to provide therein for trial by jury, and stringent provisions against kidnapping freemen.

*Resolved,* That Michigan cannot consent to any modification of the Constitution establishing slavery in the territories of the United States.

*Resolved,* That the Michigan delegation in Congress be appointed Commissioners from this State to meet the Commissioners from other States, at Washington, on Feb. 4th, to confer upon the state of the Union.

Mr. Gale moved that the Senate take a recess until two o'clock, P. M.;

Which motion was lost, by the following vote, Mr. DeLand calling for the yeas and nays :

## YEAS.

Mr. Adair, Baldwin, Gale, Ingersoll,	Mr. Jones, Mulholland, Near, Owen,	Mr. Stout, Tower, Wilder, Withey,	12
---	---	--	----

## NAYS.

Mr. Backus, Bailey, Baker, Briggs, Brown, Butterfield, Carpenter,	Mr. Coulter, DeLand, French, Galloway, Green, Hazen,	Mr. Lacy, Lane, McDermid, Monroe, Webb, Williams,	19
---	---	--	----

Mr. Carpenter moved the previous question.

The main question being ordered, and the question being on the substitute offered by Mr. Stout, the same was adopted, by yeas and nays, as follows:

## YEAS.

Mr. Adair, Backus, Baker, Baldwin, Briggs, Butterfield,	Mr. Coulter, Hazen, Ingersoll, Jones, Mulholland,	Mr. Near, Owen, Stout, Webb, Withey,	16
--	---	--	----

## NAYS

Mr. Bailey, Brown, Carpenter, DeLand, French,	Mr. Galloway, Green, Lacy, Lane, McDermid,	Mr. Monroe, Tower, Wilder, Williams,	14
---	--	---	----

The substitute, then standing as the original joint resolution, was read a third time, and, a majority of all the Senators elect not voting therefor, the same was not passed, as follows:

## YEAS.

Mr. Adair, Backus, Baker, Baldwin, Briggs, Butterfield,	Mr. Coulter, Hazen, Ingersoll, Jones, Mulholland,	Mr. Near, Owen, Stout, Webb, Withey,	16
--	---	--	----

## • NAYS.

Mr. Bailey,  
Brown,  
Carpenter,  
DeLand,  
French,

Mr. Galloway,  
Green,  
Lacy,  
Lane,  
McDermid,

Mr. Monroe,  
Tower,  
Wilder,  
Williams,

14

The Senate then took a recess until half-past 2 o'clock, P. M.

## AFTERNOON SESSION.

The Senate was called to order at half-past two o'clock.

Roll called : a quorum present.

## MESSAGES FROM THE OTHER HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, January 30, 1861. }

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following bill, entitled:

A bill to provide for the levying of a special tax in certain townships in Van Buren and Allegan counties herein named, for the improvement of the mouth of the South Black river, in the county of Van Buren,

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill read twice and referred to the committee on internal improvements.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, January 30, 1861. }

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following bill, entitled

A bill relative to executions on real estate ;

Which has passed the House by a majority vote of all the members elect, of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill read twice and referred to the committee on the judiciary.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, January 31, 1861. }

*To the President of the Senate :*

SIR:—I am instructed by the House to transmit the following entitled bill:

A bill to extend the time for the collection of taxes in the county of Wayne,

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, the bill read twice, and  
On motion of Mr. Backus,

The rule was suspended, and the bill ordered to a third reading.

Mr. Deland gave notice that the members of the special committee on the Virginia resolutions, would to-morrow present a protest as to the action of the Senate upon the resolutions reported by said committee.

Mr Hazen asked and obtained unanimous consent to introduce

A bill for the extension of the time for the collection of taxes in the townships of Casco and Wales, in the county of St. Clair;

Which was read twice, and the rule being suspended, ordered to a third reading.

Mr. Ingersoll gave notice that on some future day he would ask leave to introduce

A bill to alter and limit the boundaries of the village of Cornuna, in the county of Shiawassee.

Mr. Carpenter gave notice that on some future day he would ask leave to introduce

A bill to amend section 1661 of the compiled laws, it being the first section of an act to prevent the manufacture and sale of spirituous or intoxicating liquors as a beverage.

Also,

A bill to compel railroad companies to pay for property destroyed by them in certain cases.

Mr. Ingersoll moved to take from the table the following concurrent resolution of the House :

*Resolved*, (if the Senate concur,) That the judiciary committees of the Senate and House of Representatives act as a joint committee in the matter of the petition of the board of supervisors and sundry citizens of Saginaw county, praying for the removal of the Hon. Wilber F. Woodworth, from the office of circuit judge; that said joint committee shall have power to send for persons and papers, to take testimony pertinent to the case, to administer oaths to witnesses and to report such testimony with all convenient speed to the Senate and House of Representatives with their opinion thereon;

Which motion prevailed by the following vote.

#### YEAS.

Mr. Adair,  
Backus,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,  
Coulter,

Mr. Gale,  
Galloway,  
Green,  
Hazen,  
Ingersoll,  
Lacy,  
Lane,  
McDermid,

Mr. Mulholland,  
Near,  
Owen,  
Stout,  
Strickland,  
Webb,  
Williams,  
Withey,



## NAYS.

Mr. French,  
Jones,

Mr. Tower,

Mr. Wilder,

Mr. Tower moved the indefinite postponement of the resolution;

Which motion did not prevail.

Mr. Ingersoll moved that the Senate concur;

Which motion prevailed, by the following vote :

## YEAS.

Mr. Adair,  
Backus,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,  
Coulter,

Mr. DeLand,  
French,  
Gale,  
Galloway,  
Green,  
Hazen,  
Ingersoll,  
McDermid,

Mr. Mulbolland,  
Near,  
Owen,  
Stout,  
Strickland,  
Webb,  
Williams,  
Withey,

25

## NAYS.

Mr. Bailey,  
Jones,  
Lacy,

Mr. Lane,  
Monroe,

Mr. Tower,  
Wilder,

7

Mr. Tower offered the following:

*Whereas*, It is announced in a special dispatch from Springfield, Illinois, that the President elect will, on his journey to Washington, visit the capitols of Indiana, Ohio, New York and Pennsylvania, and receive the hospitalities of the Legislatures of those States then in session; therefore

*Resolved*, (by the Senate, the House concurring,) That the President be and is hereby invited to visit the capitol of this State on his said journey, and receive the hospitalities of this Legislature and the people of Michigan.

*Resolved*, That the Governor be requested forthwith to transmit a copy of the foregoing preamble and resolution to the President elect.

Which preamble and resolution were adopted.

## THIRD READING.

Senate bill entitled

A bill to change the name of Nellie Frances Augur to Nellie Frances Hull,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Mulholland,
Backus,	French,	Near,
Bailey,	Galloway,	Stout,
Baker,	Green,	Strickland,
Baldwin,	Hazen,	Tower,
Briggs,	Jones,	Webb,
Brown,	Lacy,	Wilder,
Butterfield,	Lane,	Williams,
Carpenter,	McDermid,	Withey,
Coulter,		

28

## NAYS.

Mr. Monroe,

1

The title was agreed to.

Senate bill, entitled

A bill to change the name of the unorganized county of Otsego to that of Seward,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Backus,	Mr. Galloway,	Mr. Mulholland,
Bailey,	Green,	Near,
Baker,	Hazen,	Stout,
Baldwin,	Ingersoll,	Strickland,
Briggs,	Jones,	Tower,
Brown,	Lacy,	Webb,
Butterfield,	Lane,	Wilder,
Carpenter,	McDermid,	Williams,
French,	Monroe,	Withey,
Gale,		

28

## NAYS.

Mr. Adair,

Mr. Coulter,

Mr. DeLand,

3

The title was agreed to.

House bill, entitled

A bill to extend the time for the collection of taxes in the county of Wayne,

Having been reached in this order,

Mr. Backus, with the consent of the Senate, moved to amend the same by striking out the word "April" in the first and second sections, and inserting "March ;"

Which motion prevailed.

The bill was then read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows :

#### YEAS.

Mr. Adair,	Mr. Coulter,	Mr. Strickland,	
Backus,	Hazen,	Tower,	
Bailey,	Ingersoll,	Wilder,	
Brown,	Monroe,	Withey,	
Butterfield,	Mulholland,		14

#### NAYS.

Mr. Baker,	Mr. Gale,	Mr. McDermid,	
Baldwin,	Galloway,	Owen,	
Briggs,	Green,	Stout,	
Carpenter,	Jones,	Webb,	
DeLand,	Lacy,	Williams,	
French,	Lane,		17

Senate bill, entitled

A bill for the extension of the time for the collection of taxes in the townships of Casco and Wales in the county of St. Clair;

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

#### YEAS.

Mr. Adair,	Mr. Green,	Mr. Near,	
Backus,	Hazen,	Owen,	
Bailey,	Ingersoll,	Strickland,	
Brown,	Jones,	Tower,	
Butterfield,	Lacy,	Webb,	
Coulter,	McDermid,	Wilder,	
DeLand,	Monroe,	Withey,	
Galloway,	Mulholland,		23

#### NAYS.

Mr. Baker,	Mr. Carpenter,	Mr. Stout,	
Baldwin,	French,	Williams,	
Briggs,	Lane,		8

The title was agreed to, and the bill ordered to take immediate effect, by the vote of two-thirds of all of said Senators.

GENERAL ORDER.

On motion of Mr. Brown,

The Senate went into committee of the whole on the general order,

Mr. Baldwin in the chair.

After some time spent therein, the committee rose, and, through their chairman, made the following report :

The committee of the whole have had under consideration the following entitled bills :

Senate bill No. 28, being

A bill to facilitate trials and other proceedings by jury ;

Senate bill No. 29, being

A bill to provide for the signing of decrees, and journals of courts of record ;

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate, and recommend their passage.

The committee have also had under consideration

Senate bill No. 33, being

A bill compelling mining companies in the Upper Peninsula of Michigan to file with the county treasurer of the county in which they are doing business, a list of their stockholders, and the amount of the indebtedness of the companies ;

Have made several amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend its passage.

The committee have also had under consideration

Senate bill No. 24, being

A bill to amend an act entitled an act disposing of certain grants of land made to the State of Michigan, for railroad purposes, by act of Congress, approved June 3, 1856, approved February 14, 1857 ;

Have made some progress therein, but, not having gone

through therewith, have directed their chairman to report that fact to the Senate, and to ask leave to sit again.

H. P. BALDWIN, *Chairman*.

The report was accepted, the amendments concurred in, and the committee granted leave to sit again on Senate bill No. 24.

On motion of Mr. DeLand,

The several bills, the passage of which was recommended by the committee, were ordered to a third reading:

The President, with the consent of the Senate, announced the following

MESSAGE FROM THE OTHER HOUSE :

HOUSE OF REPRESENTATIVES, }  
Lansing, January 31, 1861. }

To the President of the Senate :

SIR :—I am instructed by the House to transmit the following joint resolution :

Joint resolution on the state of the Union,

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the joint resolution read twice.

Mr. DeLand moved that the rule be suspended and the joint resolutions put upon their immediate passage ;

Which motion prevailed.

Mr. Stout moved to lay the joint resolutions upon the table ;

Which motion did not prevail, the following being the vote thereon :

YEAS.

Mr. Adair,  
Backus,  
Baldwin,  
Briggs,  
Butterfield,

Mr. Coulter,  
Gale,  
Green,  
Hazen,  
Ingersoll,

Mr. Mulholland,  
Owen,  
Stout,  
Withey,

## NAYS.

Mr. Bailey, Baker, Brown, Carpenter, DeLand, French,	Mr. Galloway, Jones, Lacy, Lane, McDermid, Monroe,	Mr. Near, Strickland, Tower, Webb, Wilder, Williams,	18
---	---	---	----

Mr. Withey moved that the Senate adjourn ;

Which motion was lost, the following being the vote thereon:

## YEAS.

Mr. Adair, Backus, Baldwin, Briggs, Butterfield,	Mr. Coulter, Gale, Green, Hazen, Ingersoll,	Mr. Mulholland, Owen, Stout, Withey,	14
--	---	---	----

## NAYS.

Mr. Bailey, Brown, Carpenter, DeLand, French, Galloway,	Mr. Jones, Lacy, Lane, McDermid, Monroe, Near,	Mr. Strickland, Tower, Webb, Wilder, Williams,	17
--	---	--	----

Mr. Carpenter moved the previous question;

Which motion did not prevail.

Mr. Ingersoll moved that the joint resolution be referred to the committee on State affairs, with instructions to substitute the

Joint resolution on the State of the Union,

Which has heretofore passed the Senate, and report the same back to the Senate.

Mr. Withey moved to lay the motion on the table ;

Which motion prevailed.

Mr. Owen moved that the Senate adjourn;

Which motion did not prevail, the following being the vote thereon :

## YEAS.

Mr. Adair, Backus, Butterfield, Coulter,	Mr. Gale, Green, Hazen, Ingersoll,	Mr. Mulholland, Owen, Stout, Withey,	12
---	---	---	----

## NAYS.

Mr. Bailey, Baker, Baldwin, Briggs, Brown, Carpenter, DeLand,	Mr. French, Galloway, Jones, Lacy, Lane, McDermid, Monroe,	Mr. Near, Strickland, Tower, Webb, Wilder, Williams,	20
---	--	---	----

The question being on the passage of the joint resolution,

Mr. Withey moved that the same be committed to the committee on federal relations, with instruction to substitute the Senate

Joint resolution on the state of the Union,

And report the same back to the Senate.

Mr. Carpenter moved to lay the motion on the table;

Which motion prevailed.

Mr. Owen moved that the Senate adjourn;

Which motion did not prevail, the following being the vote thereon:

## YEAS.

Mr. Adair, Backus, Baker, Baldwin, Butterfield,	Mr. Coulter, Gale, Green, Ingersoll,	Mr. Mulholland, Owen, Stout, Withey,	13
---	---	---	----

## NAYS.

Mr. Bailey, Briggs, Brown, Carpenter, DeLand, French, Galloway,	Mr. Hazen, Jones, Lacy, Lane, McDermid, Monroe,	Mr. Near, Strickland, Tower, Webb, Wilder, Williams,	19
---	--	---	----

Mr. Jones moved the previous question.

The main question was ordered by the following vote, Mr. DeLand calling for the yeas and nays:

## YEAS.

Mr. Bailey, Baker, Baldwin,	Mr. Galloway, Hazen, Jones,	Mr. Near, Stout, Strickland,
-----------------------------------	-----------------------------------	------------------------------------

Briggs,  
Brown,  
Carpenter,  
DeLand,  
French,

Lacy,  
Lane,  
McDermid,  
Monroe,

Tower,  
Webb,  
Wilder,  
Williams,

22

## NAYS.

Mr. Adair,  
Backus,  
Butterfield,  
Coulter,

Mr. Gale,  
Green,  
Ingersoll,

Mr. Mulholland,  
Owen,  
Withey,

10

The joint resolution was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Backus,  
Bailey,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,  
DeLand,  
French,

Mr. Gale,  
Galloway,  
Green,  
Hazen,  
Jones,  
Lacy,  
Lane,  
McDermid,  
Monroe,

Mr. Mulholland,  
Near,  
Spout,  
Strickland,  
Tower,  
Webb,  
Wilder,  
Williams,  
Withey,

28

## NAYS.

Mr. Adair,

Mr. Coulter,

2

The title was agreed to.

Mr. Withey moved to reconsider the vote by which the joint resolution was passed.

Mr. DeLand moved to lay that motion on the table;

Which motion prevailed.

The Senate then adjourned.

---

*Lansing, Friday, February 1, 1861.*

The Senate was called to order at 10 o'clock A. M.

Prayer by Rev. Mr. Gillet.

Roll called: a quorum present.

Leave of absence until Tuesday was granted to Mr. Jones.

The journal was read in part, and its further reading dispensed with.



## PETITIONS PRESENTED.

By Mr. Ingersoll: petition of A. B. Allen, E. B. Bliss, and other citizens of the township of Rust, in the county of Shiawassee, asking the State to perfect a title to the site of school house in district No. 4, on section 16, of said township;

Referred to the committee on public lands.

By Mr. Tower: petition of Sylvester Taylor, Charles Bean, John E. Morrison and 110 others, citizens of Ionia county, for an appropriation of 5000 dollars to improve the road leading from Ionia, in the county of Ionia, to Bellevue, in the county of Eaton;

Also, petition of A. F. Carr, Richard Dyer and 40 others, for the same;

Referred to the committee on roads and bridges.

By Mr. Baker: petition of M. A. Parker and 250 others, asking that necessary steps be taken for the revision of the Constitution, that all citizens may enjoy equal political rights;

Referred to the committee on federal relations.

## REPORTS OF STANDING COMMITTEES.

By the committee on incorporations:

The committee on incorporations, to whom was recommitted

A bill to change the name of the Algerville and Grand Blanc plank road company, to the name of Grand Blanc and Holly plank road company,

Have had the same under consideration, and agreeably to instructions of the Senate, report the same back with an amendment, adding a section, numbered two, designed to impose on this corporation under the new designation, the same legal responsibilities as under its original name and style. With such additional section they recommend the passage of the bill, and ask to be discharged from a further consideration of the subject.

JOS. R. WILLIAMS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on the judiciary :

The committee on the judiciary, to whom was referred

A bill to abolish the office of District Attorney in the Upper Peninsula,

Report that they have had the same under consideration, and return the bill to the Senate, and recommend that it be amended by adding thereto a section, to stand as section two of the bill, to read as follows: "Sec. 2. All acts or parts of acts in any manner contravening this act, are hereby repealed," and when so amended, that the bill do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, the amendment concurred in, and the bill ordered to a third reading.

MESSAGES FROM THE OTHER HOUSE:

The President announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, January 31, 1861.* }

*To the President of the Senate :*

SIR:—I am instructed by the House to transmit the following bill, entitled

A bill relative to interest on contracts between citizens of this State and other States and countries, or payable elsewhere than in this State;

Also,

A bill to amend section 5, of chapter 165, of the revised statutes of 1846, relative to challenges of jurors, in certain cases,

Which have passed the House by a majority vote of all the members elect, in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bills read twice and referred to the committee on the judiciary.

## MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Backus, unanimous consent being given, introduced

A bill to amend sections one, three, four, five, six and seven, of an act entitled an act to incorporate the fire department of the city of Detroit, approved February 14, 1840, and an act amendatory thereto, approved January 14, 1859;

Which was read twice and referred to the committee on incorporations.

Mr. Strickland, by unanimous consent, introduced

A bill to authorize the trustees of the Central Methodist Episcopal Church of Lansing to borrow money and secure the payment thereof by mortgage on lot number 6, in block number 96, in the city of Lansing;

Which was read twice and referred to the committee on incorporations.

On motion of Mr. Ingersoll,

The Senate went into executive session.

The executive session closed.

Mr. Brown, consent being obtained, made the following report:

The committee on the militia, to whom was referred

A bill to amend an act entitled an act to provide a military fund in aid of the volunteer uniformed militia, approved February 14, 1859,

Have had the same under consideration, and would respectfully report a substitute therefor, and recommend that it be printed, and ask to be discharged from its further consideration.

S. F. BROWN, *Chairman*.

The report was accepted, the committee discharged, and the substitute ordered printed, referred to the committee of the whole, and placed on the general order.

Mr. Ingersoll moved to reconsider the vote taken yesterday on the substitute of Mr. Stout, entitled

Joint resolution appointing commissioners from this State to meet the commissioners from other States in convention on the

4th of February, in the city of Washington, to consider the state of the Union;

Which motion prevailed, the following being the vote thereon:

## YEAS.

Mr. Adair,	Mr. Coulter,	Mr. Owen,	
Backus,	Gale,	Stout,	
Baker,	Hazen,	Strickland,	
Baldwin,	Ingersoll,	Webb,	
Briggs,	Mulholland,	Withey,	
Butterfield,	Near,		17

## NAYS.

Mr. Bailey,	Mr. Galloway,	Mr. Monroe,	
Brown,	Green,	Tower,	
Carpenter,	Lacy,	Wilder,	
DeLand,	Lane,	Williams,	
French,	McDermid,		14

Pending the question on the passage of the joint resolution,  
On motion of Mr. Strickland,

The Senate took a recess until 3 o'clock P. M.

## AFTERNOON SESSION.

The Senate was called to order at 3 o'clock.

Roll called : quorum present.

The pending question being on the passage of the joint resolution,

Mr. Withey asked leave to offer an amendment thereto ;

Which was not granted.

Mr. Ingersoll moved that the vote by which leave was not granted, be reconsidered ;

Which motion did not prevail, the following being the vote thereon, Mr. Ingersoll demanding the yeas and nays :

## YEAS.

Mr. Adair,	Mr. Gale,	Mr. Owen,	
Baker,	Hazen,	Stout,	
Baldwin,	Ingersoll,	Webb,	
Butterfield,	Mulholland,	Withey,	
Coulter,	Near,		14

am a yd better and can be of which passage of the bill  
 Mr. Backus, Mr. French, Mr. Monroe, Mr. Strickland,  
 Bailey, Galloway, Tower,  
 Briggs, Green, Wilder,  
 Carpenter, Lacy, Williams,  
 DeLand, McDermid,

The vote was then taken on the passage of the joint resolution, and the same was not passed, a majority of all the Senators elect not voting therefor, as follows:

## YEAS.

Mr. Adair, Mr. Butterfield, Mr. Near,  
 Backus, Coulter, Owen,  
 Baker, Hazen, Stout,  
 Baldwin, Rogers, Webb,  
 Briggs, Mulholland, Withay,

## NAYS.

Mr. Bailey, Mr. Galloway, Mr. Monroe, Mr. Strickland,  
 Brown, Green, Tower,  
 Carpenter, Lacy, Wilder,  
 DeLand, Lane, Williams,  
 French, McDermid,  
 Gale,

Mr. Ingersoll, leave being granted, introduced a bill to alter and limit the boundaries of the village of Corunna, in the county of Shiawassee;

which was read twice and referred to the committee on incorporations.

The President, with the consent of the Senate, announced the following:

MESSAGE FROM THE OTHER HOUSE:

HOUSE OF REPRESENTATIVES,  
 Lansing, January 31, 1861.

To the President of the Senate:

Sir—I am instructed to return to the Senate the following entitled bill:

A bill to extend the time for the collection of taxes in the townships of Casco and Wales, in the county of St. Clair.

Very respectfully,  
 J. W. Gale

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER

Clerk of the House of Representatives

11 The message was laid on the table, and the bill ordered to be enrolled.

On motion of Mr. Adair,

The vote of the Senate, taken yesterday, by which House bill, entitled

A bill to extend the time for the collection of taxes in county of Wayne,

Was not passed, was reconsidered.

21 The President announced that the bill was not in possession of the Senate, it having been returned to the House as passed by the Senate.

The Secretary was directed to obtain the bill.

A messenger was despatched for the same, and returned with.

31 The bill was then passed, a majority of all the Senators voting therefor, as follows:

Mr. Adair,

Mr. DeLand,

Mr. Monroe,

Backus,

French,

Mulholland,

Bailey,

Galloway,

Near,

Baldwin,

Green,

Strickland,

Brown,

Hazen,

Tower,

Butterfield,

Ingersoll,

Webb,

Carpenter,

Lacy,

Wilder,

Coulter,

McDermid,

Withey,

NAYS.

Mr. Briggs,

Mr. Lane,

Mr. Stout,

Gale,

Owen,

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

THIRD READING.

Senate bill No. 28, being

A bill to facilitate trials and other proceedings by jury,

Was read a third time and passed, ~~unanimously~~ by a majority of all the Senators elect, voting therefor as follows :

Mr. Backus,	Mr. French,	Mr. Monroe,
Bailey,	Gale,	Near,
Baldwin,	Galloway,	Strickland,
Briggs,	Green,	Tower,
Brown,	Hazen,	Webb,
Butterfield,	Lacy,	Wilder,
Carpenter,	McDermid,	Wilkey,
Coulter,		

Mr. Adair,	Mr. Mulholland,	Mr. Stout,
DeLand,	Owen,	Williams,
Lane,		

The title was agreed to.

Senate bill No. 89, being  
A bill to provide for the signing of decrees, records and journals of courts of record,

Was read a third time and passed, ~~unanimously~~ by a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

Mr. Adair,	Mr. DeLand,	Mr. Mulholland,
Backus,	French,	Near,
Bailey,	Galloway,	Mr. Owen,
Baker,	Green,	Stout,
Baldwin,	Hazen,	Strickland,
Briggs,	Ingersoll,	Tower,
Brown,	Lacy,	Wilder,
Butterfield,	Lane,	Williams,
Carpenter,	McDermid,	Wilkey,
Coulter,	Monroe,	

Mr. Gale,

The title was agreed to, and the bill ordered to take immediate effect, by a vote of two-thirds of all said Senators.

Senate bill No. 88, being  
A bill compelling mining companies in the Upper Peninsula of Michigan, to file with the county treasurer of the county in which they are doing business, a list of their stockholders, and the amount of the indebtedness of the companies,

272

STAYED BUT

12

Was read a third time and passed, a majority of all the S  
 tors elect voting therefor, as follows:

YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Monroe,
Backus,	French,	Mulholland,
Bailey,	Gale,	Near,
Baker,	Galloway,	Owen,
Baldwin,	Green,	Stout,
Briggs,	Hazen,	Strickland,
Brown,	Ingersoll,	Tower,
Butterfield,	Lacy,	Wilder,
Carpenter,	Lane,	Williams,
Coulter,	McDermaid,	Wither,

NAYS.

The title was agreed to, and the bill ordered to take im  
 mediate effect by a vote of two-thirds of said Senators.

House bill, entitled

A bill to change the name of the Algerville and Grand Bl  
 plank Road company to the name of Grand Blanc and H  
 plank Road company,

Was read a third time and passed, a majority of all the S  
 tors elect voting therefor, as follows:

YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Mulholland,
Backus,	French,	Near,
Bailey,	Gale,	Owen,
Baker,	Galloway,	Stout,
Baldwin,	Hazen,	Strickland,
Briggs,	Ingersoll,	Tower,
Brown,	Lacy,	Wilder,
Butterfield,	Lane,	Williams,
Carpenter,	McDermaid,	Wither,
Coulter,	Monroe,	

NAYS.

The title was agreed to, and the bill ordered to take im  
 mediate effect by a vote of two-thirds of all said Senators.

On motion of Mr. Owen,

The Senate went into committee of the whole on the gen  
 eral order,

at which time a demand was made for a list of the companies

of the independent of the companies



1861.]

TO JOURNAL  
THE SENATE.

872

277

Mr. Ingersoll in the chair;

After some time spent therein, the committee rose and through their chairman, made the following report:

The committee of the whole have had under further consideration the following entitled bills:

A bill to amend an act entitled an act disposing of certain grants of land made to the State of Michigan, for reforestation purposes, by act of Congress, approved June 3d, 1850, approved Feb. 14, 1857,

Have made an amendment thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend its passage.

JOHN N. INGERSOLL, Chairman.

The report was accepted, the committee discharged, the amendment concurred in, and the bill ordered to a third reading.

Mr. Carpenter moved to suspend the order of business and put the bill upon its immediate passage;

Which motion prevailed.

The bill was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

YEAS.

Mr. Adams,	Mr. Coulter,	Mr. McDermid,
Backus,	DeLand,	Monroe,
Bailey,	French,	Mulholland,
Baker,	Gale,	Near,
Briggs,	Galloway,	Owen,
Brown,	Green,	Wilder,
Butterfield,	Hazen,	Williams,
Carpenter,	Ingersoll,	

NAYS.

Mr. Lacy,	Mr. Stickland,	Mr. Webb,
Lane,	Tower,	Withey,

The title was agreed to.

Mr. Ingersoll moved that the vote on the passage of the bill be reconsidered;

Which motion did not prevail.

The Senate then adjourned.

The Senate was called to order at 10 o'clock.

Prayer by Rev. Mr. Armstrong.

Roll called; a quorum present.

Leave of absence until Tuesday, was granted to Senators

Baldwin, Golleway, Owen and Baker.

Journal of yesterday read and approved.

Mr. Stout, by consent of the Senate, moved that the Sergeant at Arms be under the direction of the select committee, appointed to investigate the condition of the Treasury, and the official acts of the late State Treasurer;

Which motion prevailed.

PETITIONS PRESENTED.

By Mr. Ingersoll: petition of William F. Little & Co., John F. Driggs, Curtis Emerson and 33 others, citizens of East Saginaw, asking for a revision of the present banking law;

Referred to the committee on incorporations.

REPORTS OF STANDING COMMITTEES.

By the committee on enrolled bills:

The committee on enrolled bills, to whom was referred,

A bill to amend an act to provide for the construction of train railways, approved February thirteenth, one thousand eight hundred and fifty-five, by adding two new sections thereto, to be numbered sections thirty-three and thirty-four;

Also,

A bill to extend the time for the collection of taxes in the townships of Casey and Wales, in the county of St Clair;

Would respectfully report that they have had said bills under consideration, and return the same to the Senate correctly enrolled.

H. C. BRIGGS, Chairman.

The report was accepted, and the bills signed and presented to the Governor.

By the committee on finance:

The committee on finance, to whom was referred,

REPORTS OF STANDING COMMITTEES.

Senate bill No. 15.

Report that they have had the same under consideration, and herewith return it to the Senate without action, and ask to be discharged from the further consideration of the same.

BYRON G. STOUT, *Chairman.*

The report was accepted, the committee discharged, and the bill laid on the table.

By the committee on incorporations:

The committee on incorporations, to whom was referred

A bill to authorize the trustees of the Central Methodist Episcopal Church of Lansing to borrow money, and secure the payment thereof by mortgage on lot No. 6, in block No. 96, in the city of Lansing,

Have had the same under consideration, and report the same back to the Senate without amendment. They recommend its passage, and ask to be discharged from a further consideration of the subject.

JOS. R. WILLIAMS, *Chairman.*

The report was accepted, the committee discharged, and the bill laid on the table.

By the same committee:

The committee on incorporations, to whom was referred two bills, one to amend section 25, of title 4, the other to amend section 4, of title 11, of an act entitled an act to revise the charter of the city of Grand Rapids,

Report that they have had said bills under consideration, and have placed the two amendments in one bill, which they report to the Senate as a substitute for the two bills referred to them, and recommend that the bill herewith reported do pass.

JOS. R. WILLIAMS, *Chairman.*

The report was accepted, the committee discharged, the substitute adopted, and the bill ordered to a third reading.

## MESSAGES FROM THE OTHER HOUSE

The President announced the following:

ed of and to the Senate without action, and ask to be returned to the House of Representatives.

To the President of the Senate

Sir:—I am instructed by the House to transmit the following bill, entitled

A bill to amend sections 8, 9, 16 and 18, of chapter 94, of the revised statutes of 1846, the same being chapter 118, compiled laws:

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,  
Clerk of the House of Representatives.

The message was laid on the table, and the bill read twice

and referred to the committee on the judiciary.

The President also announced the following:

HOUSE OF REPRESENTATIVES,  
Lansing, February 2, 1861.

To the President of the Senate:

Sir:—I am instructed to return to the Senate the following concurrent resolution:

Resolved, (the House concurring,) That the joint committee on the investigation of the Treasury, be authorized and required to make a full examination of all matters touching the letting of contracts for repairs upon the Sault St. Mary's Canal, and they be authorized to send for persons and papers;

In the passage of which the House has concurred.

Very respectfully,

ED. W. BARBER,  
Clerk of the House of Representatives.

Which message was laid on the table.

The President announced the following:

printer has, since edit for the same, and returned  
House of Representatives.  
Lansing, February 2, 1861.  
The President of the Senate:

SIR:—I am instructed by the House to transmit the following  
resolutions to the Senate for their consideration.

Resolved, That the Clerk be requested to respectfully inform the  
Senate that the bill, entitled

A bill to extend the time for the collection of taxes in the  
county of Wayne,

Was officially in the possession of the House at the time of the  
passage of the same by the Senate;

Which has passed the House.

Very respectfully,

ED. W. BARBER,  
Clerk of the House of Representatives.

The message was laid on the table.

NOTIONS, RESOLUTIONS AND NOTICES.

Mr. Ingersoll offered the following

Resolved, That the Secretary be requested to respectfully in-  
form the House of Representatives that the bill, entitled

A bill to extend the time for the collection of taxes in the  
county of Wayne,

Was in possession of the Senate at the time of its passage in  
this body, as appears from the following extract from the jour-  
nal of the Senate:

"On motion of Mr. Adair,

"The vote of the Senate, taken yesterday, by which

"House bill, entitled

WAS

"A bill to extend the time for the collection of taxes in the  
county of Wayne,

"Was not passed, was reconsidered.

"The President announced that the bill was not in possession  
of the Senate, it having been returned to the House as not passed  
by the Senate.

"The Secretary was directed to obtain the bill.

"A messenger was despatched for the same, and returned therewith."

The resolution was adopted.

Mr. Hazen, leave being granted, introduced

A bill to amend section 14, of chapter 134, of the compiled laws, entitled of the action of ejectment,

Which was read twice and referred to the committee on the judiciary.

Mr. Tower gave notice that on some future day he would ask leave to introduce

A bill to change the name of the First Congregational Society of the village of Ionia, to the First Presbyterian Society of Ionia.

### THIRD READING.

Senate bill, entitled

A bill to authorize the trustees of the Central Methodist Episcopal Church of Lansing to borrow money and secure the payment thereof by mortgage, on lot number six, in block number ninety-six, in the city of Lansing;

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

### YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Mulholland,
Backus,	Green,	Near,
Bailey,	Hazen,	Stout,
Briggs,	Ingersoll,	Strickland,
Brown,	Lacy,	Tower,
Butterfield,	Lane,	Wilder,
Carpenter,	McDermid,	Williams,
Coulter,	Monroe,	Withey,

### NAYS.

Mr. Hale,

Title agreed to.

The President announced a message from the Governor, whereupon

On motion of Mr. Ingersoll,

The Senate went into executive session on executive business.

The executive session closed.



Lansing, Monday, February 4, 1861.

The Senate was called to order at 10 o'clock A. M.

Prayer by Rev. Mr. Meyer.

Leave of absence was granted to Senators Ingersoll and Green.

Journal read and approved.

#### PETITIONS PRESENTED.

By Mr. Coulter: petition of R. Mogle and 11 others, asking for an act to direct the Judge of the Upper Peninsula, to make titles to land in the village of Ontonagon to actual occupants, as per act of Congress May 28, 1844; an appeal of the title.

Referred to the committee on judiciary.

By Mr. Williams: petition of Geo. W. Waterson, Aaron Hargreaves, R. E. Case, Henry H. Riley and 62 others, for the incorporation of the village of Constantine.

Referred to the committee on incorporations.

#### REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

House bill No. 43, being

A bill to amend section five of chapter 165 of the revised statutes of 1846, relative to challenges of jurors in certain cases,

Have had the same under consideration, and would respectfully report the same back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged and the bill referred to the committee of the whole, and placed on the general order.

By the same committee:

The judiciary committee, to whom was referred

House bill No. 1, being

A bill relative to levies of executions on real estate,



Have had the same under consideration and would respectfully report the same back to the Senate and recommend that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman*.  
The report was accepted, the committee discharged, and the bill referred to the committee of the whole and placed on the general order.

By the same committee:

The judiciary committee, to whom was referred House bill No. 41, being

A bill relative to interest on judgments between citizens of this State and other States and countries, payable elsewhere than in this State,

Have had the same under consideration and would respectfully report the same back to the Senate and recommend that it do pass.

All which is respectfully submitted.

H. T. BACKUS, *Chairman*.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole and placed on the general order.

By the same committee:

The committee on the Judiciary, to whom was referred

A bill to amend section 14 of chapter 134 of the compiled laws, entitled of the action of ejectment, bearing

Have had the same under consideration and would respectfully report the same back to the Senate and recommend that it do pass.

All which is respectfully submitted.

H. T. BACKUS, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole and placed on the general order.

By the same committee:

The committee on the judiciary, to whom was referred  
A bill to regulate the manner of attaching unorganized territory

to organized counties for judicial and municipal purposes.

Have had the same under consideration, and would respectfully report that by the provisions of the bill it is contemplated in all cases that the unorganized territory to be attached shall, for the purposes of taxation, and all other municipal purposes, in every case be attached to the townships where the county seat is located, without any regard to the contiguity of territory, or what organized township may intervene between the unorganized territory so to be attached, and the county town. The benefits of this arrangement as a general law, your committee are unable to perceive; but on the other hand they can suppose cases that often might occur, where such arrangement would be extremely inconvenient. Yet as the proposers of the law urge the same with much seeming confidence in its benefits, and from their character and known familiarity with the new portions of our State and its wants, your committee report the same back for the consideration of the Senate, who may find therein merits which your committee are unable to perceive, and recommend that the bill be printed, and referred to the committee of the whole and placed on the general order.

All of which is respectfully submitted;

H. T. BACKUS, Chairman.

The report was accepted, the committee discharged, the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on manufactures:

The committee on manufactures, to whom was referred

Joint resolution relative to the renewal of the patent on McCormick's reaping machine,

Report that they have had the same under consideration, and would return it to the Senate, and recommend that it do pass, and ask to be discharged from the further consideration thereof.

D. G. WILDER, Chairman.

was accepted, the committee discharged, and the bill ordered to a third reading.

**Committee on State affairs:**  
Reported on State affairs, to whom was recommended  
No. 15, repealing act No. 201 of the session laws of

to punishing persons for adulterating liquors,  
and report that they have had the same under con-  
sideration, and herewith submit a substitute in accordance with  
the amendments made by the Senate, and ask to be discharged  
from further consideration of the same.

**B. G. STOUT, Chairman.**

was accepted, the committee discharged, and the  
bill ordered printed, referred to the committee of  
the whole, and placed on the general order.

**Committee on internal improvements:**  
Reported on internal improvements, to whom was re-

**No. 88, entitled**  
"An act to provide for the levying of a special tax in certain  
townships in Van Buren and Allegan counties, herein named,  
for the improvement of the mouth of the South Black river, in  
Van Buren,  
and the same under consideration, and report the bill  
to the Senate without amendment, and recommend that  
it pass, and ask to be discharged from the further  
consideration of the subject.

**J. CARPENTER, Chairman.**

was accepted, the committee discharged, and the  
bill ordered to the committee of the whole, and placed on the  
general order.

**Committee on public lands:**  
Reported on public lands, to whom was referred  
an act entitled, an act to amend an act to  
levy property at its true value, for levying and  
collecting thereon, approved, Feb. 14, 1852, and an act

amendatory thereto, approved February 12, 1855, approved  
February 1, 1858,

Have had the same under consideration, and would respect-  
fully report the same back to the Senate without amendment  
and recommend that it do pass.

**EZRA HAZEN, Chairman.**

The report was accepted, the committee discharged, and the  
bill ordered printed, referred to the committee of the whole  
and placed on the general order.

By the committee on public instruction:

The committee on public instruction ask leave to report

A bill to amend certain sections of the primary school law,  
which they recommend do pass.

**S. L. WITHEY, Chairman.**

The report was accepted, and the bill read twice, laid on the  
table and ordered printed.

MESSAGE FROM THE GOVERNOR.

The President announced the following communication from  
the Governor:

**EXECUTIVE OFFICE,  
Lansing, February, 1861.**  
To the Senate:

I have approved and filed in the office of the Secretary  
State the following:

An act entitled an act "to extend the time for the collection  
taxes in the township of Caseville, in the county of Huron, for  
the year eighteen hundred and sixty;"

Also,

An act entitled an act "to amend an act to provide for the con-  
struction of train railways, approved February 13, 1855, by ad-  
ding two new sections thereto, to be numbered sections  
and 34;"

Also, an act entitled an act "to extend the time for the collection  
and return of taxes in the township of Groveland, in the county  
of Huron, for the year eighteen hundred and sixty;" approved, Feb. 14, 1861.

the township of Orleans, in the county of Ionia, eighteen hundred and sixty;"

entitled an act "to repeal act No. 197, of the session of 1859, being an act entitled an act to restore certain lands to town six south, of range five east, approved 1859."

AUSTIN BLAIR.

Report was laid on the table.

**MOTIONS, RESOLUTIONS AND NOTICES.**

Mr. Blair, leave being granted, introduced a bill relative to the arrest and surrender of fugitives from justice.

The bill was read twice, and referred to the committee on the Judiciary.

Mr. Blair, leave being granted, introduced a bill to change the name of the First Congregational Society of the Village of Ionia; and

The bill was read twice, and, the rule being suspended, ordered for third reading.

Mr. Blair gave notice that on some future day he would introduce a bill to

amend sections 11, 127 and 238, of chapter 117 of the laws, in relation to justice courts.

Mr. Blair gave notice that on some future day he would introduce a bill to

empowering the district judge of the Upper Peninsula, to sell lands in the village of Ontonagon to actual settlers per act of Congress May 23, 1844.

Mr. Stout,

The committee of the whole was discharged from the further consideration of Senate bill No. 40, being

a bill to provide for the payment of the indebtedness of the State due on and before January 1st, A. D. 1863;

Senate bill No. 15, being

A bill to provide for the payment of the indebtedness of the State,

Was taken from the table, and both bills were made the special order for next Wednesday afternoon, at two o'clock.

### THIRD READING.

Senate bill, entitled

A bill to amend section 25, of title 4, and section 4, of title 11, of an act entitled an act to revise the charter of the city of Grand Rapids,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

### YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Near,	
Backus,	Gale,	Stout,	
Bailey,	Hazen,	Strickland,	
Briggs,	Lacy,	Tower,	
Brown,	Lane,	Webb,	
Butterfield,	McDermid,	Wilder,	
Carpenter,	Monroe,	Williams,	
Coulter,	Mulholland,	Withey,	24

### NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect, by the vote of two-thirds of all of said Senators.

Senate bill No. 30, entitled

A bill to amend sections 404 and 405 of the compiled laws, being sections 63 and 64, of chapter 10, enabling county clerks to appoint deputies ;

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

### YEAS.

Mr. Adair,	Mr. Coulter,	Mr. Monroe,	
Backus,	DeLand,	Mulholland,	
Bailey,	Gale,	Near,	
Briggs,	Hazen,	Stout,	
Brown,	Lacy,	Strickland,	
Butterfield,	Lane,	Williams,	
Carpenter,	McDermid,	Withey,	21

### NAYS.

Mr. Tower,	Mr. Wilder,	
------------	-------------	--

2

The title was agreed to.

Senate bill No. 81, entitled

A bill to amend section 93 of an act to provide for holding general and special elections, approved June 27, 1851, relative to the fees of county clerks and district canvassers, (compiled laws, paragraph 117;)

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Near,	
Backus,	Gale,	Stout,	
Bailey,	Hazen,	Tower,	
Briggs,	Lacy,	Webb,	
Brown,	Lane,	Wilder,	
Butterfield,	McDermid,	Williams,	
Carpenter,	Mulholland,	Withey,	21

NAYS.

Mr. Coulter,	Mr. Monroe,	Mr. Strickland,	3
--------------	-------------	-----------------	---

The title was agreed to.

House joint resolution entitled

Joint resolution relative to the renewal of the patent on McCormick's reaping machine,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Near,	
Backus,	Gale,	Stout,	
Bailey,	Hazen,	Strickland,	
Briggs,	Lacy,	Tower,	
Brown,	Lane,	Webb,	
Butterfield,	McDermid,	Wilder,	
Carpenter,	Monroe,	Williams,	
Coulter,	Mulholland,	Withey,	24

NAYS.

0

The title was agreed to.

Senate bill, entitled

A bill to change the name of the First Congregational Society of the village of Ionia,

Having been reached in the order of third reading, the same was committed to the committee on incorporations.

GENERAL ORDER.

On motion of Mr. Brown,

The Senate went into committee of the whole on the general order,

Mr. DeLand in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report :

The committee of the whole have had under consideration Senate joint resolution No. 5, entitled

Joint resolution authorizing the State Treasurer to provide for the interest due upon the bonds of the State, in July and January next, and to pay the interest thereon, and upon the floating debt of the State ;

Also, Senate bill No. 35, being

A bill to amend sections 6138 and 6140, of the compiled laws, being sections 10 and 12, of chapter 201, providing for the employment of prisoners confined in the county jails ;

Have made several amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend their passage.

The committee have also had under consideration Senate bill No. 34, being

A bill to provide a tax for the expenses of the State government, and for a sinking fund ;

Have made some progress therein, but, not having gone through therewith, have directed their chairman to report that fact to the Senate, and ask leave to sit again.

C. V. DELAND, *Chairman.*

The report was accepted, the several amendments concurred in, the joint resolution and first named bill ordered to a third reading, and the committee granted leave to sit again in the consideration of Senate bill No. 34.



Mr. Williams, unanimous consent being given, introduced the following:

*Resolved*, That the committee on printing be instructed to procure the report of the President of the University of Michigan to the Board of Regents in September last, which is in whole or part suppressed, and also the rules and regulations of the Board of Regents now in force for the government of the University, and cause 500 copies of the whole to be printed together for the use of the Senate.

Which resolution was adopted.

The Senate then adjourned.

---

*Lansing, Tuesday, February 5, 1861.*

The Senate was called to order at 10 o'clock.

Prayer by Rev. Mr. McLeod.

Roll called : quorum present.

Journal read and approved.

PETITIONS PRESENTED.

Mr. Ingersoll presented the following, which was ordered printed in the journal :

*To the Senate and House of Representatives of the State of Michigan :*

*Whereas*, Petitions have been presented to your honorable body, signed by members of the Saginaw bar and a few citizens of Saginaw county, praying for a new judicial circuit, or, for the removal of Judge Woodworth, the present circuit judge of the 10th circuit, and indulging in disparaging reflections upon him ; therefore

The subscribers, members of the bar, county officers and citizens of Midland county, in the 10th judicial circuit, respectfully represent that we entertain the highest respect for the ability, integrity and moral worth of Judge Woodworth ; that the great geographical extent, and large amount of litigation in the 9th and 10th judicial circuits, render the formation of a new judi-

cial circuit desirable for the relief of Judge Woodworth, of the 10th, and Judge Littlejohn, of the 9th; but your petitioners, from motives of personal regard for Judge Woodworth, and, believing the public good will be subserved by retaining the services of an honest and impartial judicial officer, respectfully remonstrate against his removal from office, and your petitioners will ever pray.

John Larkin, Co. Treasurer,	Erastus H. Wyman,
D. M. R. Wilson, Pros. Att'y,	John Wyman,
Chas. D. Searrin, Supervisor,	John W. Wyman,
Sylvester Erway, "	Daniel H. Wyman,
Chas. T. Atwell, Cir. Ct. Com.,	Provines J. Townsend,
Harvey Lyon, Township Clerk,	John T. McLain,
James L. T. Fox, Att'y at Law,	William Cordley,
Chas. Perkins, Justice,	Lorap O'Neil,
James S. Eastman,	A. J. Lapp,
Philander H. Myers,	Anthony Barton, Jr.,
John Draper,	Leander Starks,
L. P. Bailey, Justice,	Nathan T. Carr, Ed. Sentinel,
E. P. Jennings,	Thomas Gardner,
Sherman Bradley,	Anthony Rathburn,
J. H. Labadie,	Harvey Rumrill,
H. C. Burt,	T. K. Townsend,
Amos Miner,	Peter Peaterin,
William Cressey,	Abram Cronkwright, Sen.,
James H. Rikert,	Lorenzo F. Taylor,
N. D. Lockwood,	T. B. Halbert,
Leonard Davis,	George Jacobs,
Ranson Dunning,	Thomas O'Leary,
Henry Potter,	Sylvester Vibber,
J. W. Stockwell,	Samuel McCurtney,
Samuel Sias,	Peter Leroy,
John A. Whitman,	William McCroy,
O. H. Whitehouse, Clergyman,	David Barbara,
Alanson Herrick, "	Stephen Stilwill,
Solon Rumrill,	George Davis,

William Simmons,	Simeon Smith,
Abraham Egbert,	' David Hayd, Justice,
P. Francis Pierce,	George Turner, Co. Register,
Sam'l D. Gaskill, Prob. Judge,	Henry Thompson, Co. Clerk.

Mr. Baldwin presented the petition of Lyon & Barstow, H. C. Munson, Henry Doty, R. W. King and 81 others, citizens of Detroit, for amendments of the constitution of the State as will enable the Legislature to establish a banking system similar to that of Ohio and Indiana ;

Also, of Wm. Warner, A. Smith Bagg, Nall, Dunklee & Co., E. A. Brush, and 30 other citizens of Detroit, for the same;

Referred to the committee on incorporations.

Mr. Williams presented the remonstrance of S. C. Coffinbury, Norman Harvey and 41 others, against the incorporation of the village of Constantine;

Referred to the same committee.

Mr. Ingersoll presented the remonstrance of P. S. Lyman, Geo. Wilcox and others, against altering the present boundaries of the village of Corunna, in Shiawassee county;

Referred to the committee on towns and counties.

Mr. DeLand presented the petition of Samuel Higby and 74 others, citizens of Jackson, for amendments to the charter of said city;

Referred to the committee on incorporations.

Also, the petition of W. O. Stone and 266 others, citizens of Jackson county, for a law taxing dogs, &c.;

Referred to the committee on agriculture.

By Mr. Wilder : petition of A. J. Martindale and 48 others, inhabitants of the town of Caseville, in Huron county, asking that town 17 north of range 9 east, may be attached to the town of Caseville for township purposes ;

Referred to the committee on towns and counties.

By Mr. McDermid : petition of Warren Smith and others, citizens of Hillsdale county, asking the passage of a stringent usury law ;

Referred to the committee on judiciary.

By Mr. Wilder: petition of William Weir, Gideon Harring, Jas. McDonald and 81 others, citizens of Huron county, asking for a grant of swamp land to build a road from Pigeon river to the centre of the county ;

Referred to the committee on public lands.

By Mr. Bailey: petition of Henry A. Trench and 145 others, citizens of Grand Ledge and vicinity, praying for the location of a State prison at Grand Ledge ;

Referred to the committee on State prison.

#### REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary :

The committee on the judiciary, to whom was referred

A bill to provide for the arrest and surrender of fugitives from justice,

Have had the same under consideration, and would respectfully report: That the evil sought to be remedied by the provisions of this bill is the speedy surrender of criminals, fugitives from other States and countries, who may be lurking within our borders to avoid the just punishment of their crimes without the dilatory proceedings of an executive requisition, and which, by the inevitable delay incident to the providing, is often rendered abortive to the useful end of ridding us of fugitive criminals, and punishing the crime.

The provisions of the bill, in the opinion of your committee, are peculiarly important to our border counties, which are continually subject to an influx of such fugitives, without any means of getting rid of the criminals, or punishing their crimes.

Your committee therefore report back the bill to the Senate, and recommend it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands :

The committee on public lands, to whom was referred

A bill authorizing the transfer by the board of control, of a grant of land made to the State of Michigan by an act of Congress, passed June 3, 1856, to aid in the construction of a railroad from Marquette, on Lake Superior, to the Wisconsin State line, and the re-location of the same,

Respectfully report that they have had said bill under consideration, and return the same to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the same.

EZRA HAZEN, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on incorporations :

The committee on incorporations, to whom was referred

A bill to alter and limit the boundaries of the village of Corunna, in the county of Shiawassee,

Discover that a memorial and papers on the same subject have been referred by the Senate heretofore, to the committee on division of towns and counties. Your committee, therefore return the same bill back to the Senate, recommend that it be referred to the committee on division of towns and counties, and ask to be discharged.

JOS. R. WILLIAMS, *Chairman.*

The report was accepted, the committee discharged, and the bill referred to the committee on towns and counties.

By the same committee :

The committee on incorporations, to whom was referred

A bill to amend sections one, three, four, five, six and seven, of an act entitled an act to incorporate the fire department of the city of Detroit, approved February 14, 1840, and an act amendatory thereto, approved January 14, 1859 ;

Have had the same under consideration, and report the same back to the Senate without amendment. They recommend its

passage and ask to be discharged from the further consideration of the subject.

JOS. R. WILLIAMS, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on incorporations:

The committee on incorporations, to whom was referred

A bill to change the name of the First Congregational Society of the village of Ionia,

Have had the same under consideration, and agreeably to the instructions of the Senate have amended the same by addition of another section, numbered section two, designed to confer the same legal rights and impose the same legal responsibilities upon the corporation under the new as under the former designation. They have also amended the title. With the additional section and amendment they report the bill back to the Senate, recommend its passage, and ask to be discharged from a further consideration of the subject.

JOS. R. WILLIAMS, *Chairman*.

The report was accepted, the committee discharged, the amendments concurred in, and the bill ordered to a third reading.

By the committee on the State library:

The committee on State library, to whom was referred a joint resolution providing for the transfer of certain scientific works from the State library to the library of the State university, have had the same under consideration and report it back to the Senate with a recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

T. D. LANE, *Chairman*.

The report was accepted, the committee discharged, and the bill read twice, and ordered to a third reading.

By the finance committee:

The finance committee, to whom was referred House bill No. 36, the same being

A bill relative to the duties of township and county officers, concerning receipts for moneys paid into the county treasury,

Respectfully report that they have had the same under consideration, and return the same to the Senate without amendment, with the recommendation that it do pass, and ask to be discharged from the further consideration of the same.

H. P. BALDWIN, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

MESSAGES FROM THE GOVERNOR.

The President announced several messages from the Governor, on executive business ; whereupon,

On motion of Mr. Brown,

The Senate went into executive session.

The executive session closed.

MESSAGES FROM THE OTHER HOUSE:

The President announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 4, 1861.* }

*To the President of the Senate :*

SIR:—I am instructed by the House to transmit the following bill, entitled

A bill to amend an act entitled an act to establish graded and high schools, approved February 14, 1859, being act No. 161, session laws, 1859,

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill read twice by its title, and referred to the committee on public instruction.

## MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Brown gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled an act to amend an act to incorporate the village of Kalamazoo, and the acts amendatory thereto, approved April 1, 1850, and the acts amendatory thereto.

Mr. Backus, leave being granted, introduced

Joint resolution proposing an amendment to section 2, article 6, of the constitution of Michigan, relative to the number of judges of the Supreme Court, and their terms of office;

Which was read twice, by title, and referred to the committee on the judiciary.

Mr. Backus gave notice that on some future day he would ask leave to introduce

A bill to amend section 1, of chapter 122, of the revised statutes of 1846, in relation to proceedings against boats and vessels.

Mr. Hazen, pursuant to notice, leave being granted, introduced

A bill to amend sections 11, 127 and 238 of chapter 117 of the compiled laws, in relation to justice courts;

Which was read twice, by title, and referred to the committee on the judiciary.

Mr. DeLand moved to make Senate bill No. 50, being

A bill for the re-organization of the militia forces of the State of Michigan,

The special order for this afternoon, at two o'clock.

Which motion prevailed.

Mr. Adair, leave being granted, introduced

A bill to amend an act entitled an act to amend an act entitled an act to revise the charter of the city of Detroit, approved February 5th, 1857, approved February 15th, 1859;

Which was read twice, by title, and referred to the committee on the judiciary.

Mr. Carpenter, pursuant to notice, introduced

A bill to amend section 1661 of chapter 52 of compiled laws,



in relation to the manufacture and sale of spirituous or intoxicating liquors as a beverage;

Which was read twice by title, and referred to the committee on the judiciary.

Mr. Wilder gave notice that on some future day he would ask leave to introduce

A bill to attach fractional township seventeen north of range nine east to the township of Caseville for township purposes.

Mr. Withey gave notice that he would, on some future day, ask leave to introduce

A bill to prescribe the duties of the circuit judges of this State in charging juries.

Mr. Hazen gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled an act to encourage the manufacture of salt in the State of Michigan, approved February 15, 1859.

Mr. Monroe, pursuant to notice, introduced

A bill to repeal act No. 257, of the session laws of 1859, the same being an act authorizing the commissioners of highways of townships to establish water courses, and locate ditches, in certain cases.

Which was read twice by title, and referred to the committee on internal improvements.

Mr. Green gave notice that on some future day he would ask leave to introduce

A bill to authorize the several townships in the counties of Manistee, Mason, and Oceana, to assess a tax for the improvement of harbors and rivers.

#### THIRD READING.

Senate joint resolution No. 5, entitled

Joint resolution authorizing the State Treasurer to provide for the interest due upon the bonds of the State, in July and January next, and to pay the interest thereon, and upon the floating debt of the State,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. Gale,	Mr. Mulholland,
Backus,	Galloway,	Near,
Bailey,	Green,	Owen,
Baldwin,	Hazen,	Strickland,
Briggs,	Ingersoll,	Tower,
Brown,	Lacy,	Webb,
Butterfield,	Lane,	Wilder,
Carpenter,	McDermid,	Williams,
Coulter,	Monroe,	Withey,
DeLand,		

28

## NAYS.

0

The title was agreed to.

Senate bill No. 35, being

A bill to amend section 6188 and 6140, of the compiled laws, being sections 10 and 12, of chapter 201, providing for the employment of prisoners confined in the county jails,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows +

## YEAS.

Mr. Backus,	Mr. Gale,	Mr. Mulholland,
Bailey,	Galloway,	Near,
Baldwin,	Green,	Owen,
Briggs,	Hazen,	Strickland,
Brown,	Ingersoll,	Tower,
Butterfield,	Lacy,	Webb,
Carpenter,	Lane,	Williams,
Coulter,	McDermid,	Withey,
DeLand,	Monroe,	

26

## NAYS.

Mr. Adair,

Mr. Wilder,

2

The title was agreed to.

House joint resolution, being

Joint resolution for the transfer of certain scientific works from the State Library, to the library of the University,

Having been reached in the order of third reading,

On motion of Mr. Williams,

The same was committed to the committee on the judiciary.

House bill No. 36, being

A bill relative to the duties of township and county officers, concerning receipts for moneys paid into the county treasury,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. Gale,	Mr. Mulholland,	
Backus,	Galloway,	Near,	
Bailey,	Green,	Owen,	
Baldwin,	Hazen,	Strickland,	
Briggs,	Ingersoll,	Tower,	
Butterfield,	Lacy,	Webb,	
Carpenter,	Lane,	Wilder,	
Coulter,	McDermid,	Williams,	
DeLand,	Monroe,	Withey,	27

## NAYS.

0

The title was agreed to.

Senate bill, entitled

A bill to change the name of the First Congregational Society of the village of Ionia, to First Presbyterian Society of Ionia,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. Gale,	Mr. Mulholland,	
Backus,	Green,	Near,	
Bailey,	Hazen,	Owen,	
Baldwin,	Ingersoll,	Strickland,	
Briggs,	Lacy,	Tower,	
Butterfield,	Lane,	Wilder,	
Carpenter,	McDermid,	Williams,	
Coulter,	Monroe,	Withey,	25
DeLand,			

## NAYS.

0

The title was agreed to.

On motion of Mr. DeLand,

The Senate took a recess until 2 o'clock P. M

## AFTERNOON SESSION.

The Senate was called to order at 2 o'clock

Roll called : a quorum present.

## SPECIAL ORDER.

The Senate went into committee of the whole on the special order,

Mr. Backus in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report :

The committee of the whole have had under consideration the following entitled bill :

A bill for the re-organization of the military force of the State of Michigan ;

Have made some progress therein, but, not having gone through therewith, have directed their chairman to report that fact to the Senate, and ask leave to sit again.

H. T. BACKUS, *Chairman*.

The report was accepted, and the committee granted leave to sit again, for the further consideration of the bill.

On motion of Mr. DeLand,

The bill was made the special order for to-morrow afternoon, at three o'clock.

The Senate adjourned.

---

*Lansing, Wednesday, February 6, 1861.*

The Senate was called to order at 10 o'clock.

Prayer by Rev. Mr. Meyer.

Roll called : a quorum present.

Journal of yesterday read and approved.

## PETITIONS PRESENTED.

By Mr. McDermid : petition of W. W. Murphy, W. J. Baxter and others, citizens of Jonesville, asking the passage of a banking law similar to the banking law of Ohio ;

Referred to the committee on banks and incorporations.

By Mr. Baldwin : petition of S. S. Barnard, Dwight Stebbins and 18 others, for such an amendment of the constitution of the

State as will enable the Legislature to establish a banking law similar to that of Ohio and Indiana;

Referred to the same committee.

By Mr. McDermid : petition of George Houghtby and 48 others, citizens of Hillsdale county, asking the passage of a stringent usury law;

Also, of Wm. Wright, Wm. Gilbert and 40 others, for such an amendment of the constitution of the State as will enable the Legislature to establish a banking system similar to that of Ohio and Indiana;

Also, of D. Mead, Job Card and others, citizens of Hillsdale county, asking the passage of a stringent usury law ;

Referred to the committee on the judiciary.

#### REPORTS OF SPECIAL COMMITTEES.

By the special committee on the division of the State into congressional and senatorial districts :

The special committee, to whom was referred the matter of districting the State into six congressional districts, beg leave to report :

That they have had the same under consideration, and have instructed me as their chairman to report by bill, and recommend its passage, and to be discharged from the further consideration of the same.

J. L. NEAR, *Chairman.*

The report was accepted, the committee discharged, and the bill referred to the committee of the whole and placed on the general order.

#### MESSAGES FROM THE OTHER HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 5, 1861.* }

*To the President of the Senate :*

SIR :—I am instructed by the House to transmit the following bill, entitled

A bill to amend section 86, of an act entitled an act to amend

chapter 93, of the revised statutes of 1846, entitled of courts held by justices of the peace, the same being section 3738, of the compiled laws;

Also,

A bill to continue the authority of circuit court commissioners, after the expiration of their term of office, in certain cases;

Which have passed the House by a majority vote of all the members elect, in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, the bills read twice, by title, and referred to the committee on the judiciary.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Brown, pursuant to notice, introduced

A bill to amend an act entitled an act to amend an act to incorporate the village of Kalamazoo, and the acts amendatory thereto, approved April 1st, 1850, and the acts amendatory thereto;

Which was read twice, by title, and referred to the committee on incorporations.

Mr. Bailey, unanimous consent being given, introduced

A bill to legalize the tax roll of the township of Maple Grove, in the county of Barry, and to extend the time for the collection of taxes therein;

Which was read twice, by title, and, the rule being suspended, ordered to a third reading.

Mr. Adair offered the following:

*Resolved*, That the Governor be respectfully requested to inform the Senate how many and what description of arms and military equipments have been furnished by the United States to the State of Michigan, where they are now situated and the condition of the same, whether serviceable or not, and whether

any, and if any, what arms have been sold or otherwise disposed of, and if sold, by what authority and to whom, and for what price;

Which was adopted.

On motion of Mr. Lane,

Senate bill No. 48, being

A bill to authorize the First Presbyterian Society in Ann Arbor to borrow money and secure the payment thereof,

Was taken from the general order, the committee of the whole being discharged from the further consideration thereof, and ordered to a third reading.

On motion of Mr. Strickland,

Senate bill, entitled

A bill to abolish the office of district attorney, in the Upper Peninsula,

Was taken from the table, and ordered to a third reading.

Mr. Withey, leave being granted, introduced

A bill to prescribe the duties of the circuit judges of this State, in charging juries ;

Which was read twice, by title, and referred to the committee on the judiciary.

On motion of Mr. Baldwin,

Senate bill No. 5, being

A bill to amend an act entitled an act relative to plank roads, approved March 18, 1848,

Was taken from the table, and ordered to a third reading.

Mr. Near gave notice that on some future day he would ask leave to introduce

A bill to amend chapter 170, of the revised statutes of 1846, being chapter 200 of the compiled laws, by adding four new sections thereto.

Mr. DeLand gave notice that to-morrow he would ask leave to introduce

A bill to amend an act entitled an act relative to the State Prison, approved February 12, 1857.

Also,

A bill to amend an act entitled an act relative to convicts sentenced to solitary imprisonment in the State Prison for life, approved April 2, 1849.

Mr. Monree gave notice that at an early day he would introduce

A bill to regulate the government of primary schools.

### THIRD READING.

Senate bill entitled

A bill to legalize the tax roll of the township of Maple Grove, in the county of Barry, and to extend the time for the collection of taxes therein,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

### YEAS.

Mr. Adair,	Mr. Galloway,	Mr. Monroe,
Bailey,	Green,	Mulholland,
Baldwin,	Hazen,	Near,
Brown,	Ingersoll,	Owen,
Butterfield,	Jones,	Strickland,
Carpenter,	Lacy,	Tower,
Coulter,	Lane,	Wilder,
DeLand,	McDermid,	Withey,
French,		

25

### NAYS.

Mr. Baker,	Mr. Stout,	Mr. Webb,
Gale,		

4

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

Senate bill No. 48, being

A bill to authorize the trustees of the First Presbyterian Society of Ann Arbor to borrow money and secure the payment thereof,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

### YEAS.

Mr. Adair,	Mr. Galloway,	Mr. Mulholland,
Baker,	Green,	Near,
Baldwin,	Hazen,	Owen,



Brown,  
Butterfield,  
Carpenter,  
Coulter,  
DeLand,  
French,

Ingersoll,  
Jones,  
Lacy,  
Lane,  
McDermid,  
Monroe,

Stout,  
Strickland,  
Tower,  
Webb,  
Wilder,  
Withey,

27

## NAYS.

Mr. Gale,

1

The title was agreed to, and the bill ordered to take immediate effect, by a vote of two-thirds of all said Senators.

Senate bill, entitled

A bill to abolish the office of district attorney in the Upper Peninsula,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Baker,  
Baldwin,  
Brown,  
Butterfield,  
Carpenter,  
DeLand,  
French,  
Gale,  
Galloway,

Mr. Green,  
Hazen,  
Jones,  
Lacy,  
Lane,  
McDermid,  
Monroe,  
Mulholland,

Mr. Near,  
Owen,  
Stout,  
Strickland,  
Tower,  
Webb,  
Wilder,  
Withey,

25

## NAYS.

Mr. Adair,  
Bailey,

Mr. Coulter,

Mr. Ingersoll,

4

The title was agreed to.

Senate bill No. 5, being,

A bill to amend an act entitled an act relative to plank roads, approved March 18, 1848,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,  
Bailey,  
Baker,  
Baldwin,  
Brown,  
Butterfield,  
Carpenter,

Mr. Coulter.  
DeLand,  
French,  
Gale,  
Green,  
Hazen,  
Jones,

Mr. Lacy,  
Lane,  
McDermid,  
Mulholland,  
Near,  
Strickland,  
Withey,

21

## NAYS.

Mr. Galloway,  
Ingersoll,  
Monroe,

Mr. Owen,  
Stout,  
Tower,

Mr. Webb,  
Wilder,

8

The title was agreed to.

## SPECIAL ORDER.

The special order being the order of business at 11 o'clock,  
Mr. DeLand moved that the special order for 2 o'clock be considered ;

Which motion prevailed.

On motion of Mr. Ingersoll,

The Senate went into committee of the whole on the special order,

Mr. Monroe in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report :

The committee of the whole have had under consideration the following entitled bill :

A bill to provide the means for the redemption of the bonds of the State, approved January 1, A. D. 1863 ;

Have made some progress therein, but, not having gone through therewith, have directed their chairman to report that fact to the Senate, and ask leave to sit again.

D. MONROE, *Chairman.*

The report was accepted, and the committee granted leave to sit again, for the further consideration of the bill.

The Senate then took a recess until 2 o'clock P. M.

## AFTERNOON SESSION.

The Senate was called to order at 2 o'clock.

Roll called : a quorum present.

## SPECIAL ORDER.

On motion of Mr. Stout,

The Senate went into committee of the whole on the unfinished special order,

Mr. Monroe in the chair.

After some time spent therein, the committee rose and through their chairman, made the following report :

The committee of the whole have had under further consideration the following entitled bill:

A bill to provide the means for the redemption of the bonds of the State maturing January 1, A. D. 1863;

Have made some further progress therein, but, not having gone through therewith, have directed their chairman to report that fact to the Senate, and to ask leave to sit again.

D. MONROE, *Chairman.*

The report was accepted, and the committee granted leave to sit again for the further consideration of the bill, which was made the special order for to-morrow, at 2 o'clock, P. M.

On motion of Mr. Brown,  
Senate bill No. 50, being

A bill for the reorganization of the military forces of the State of Michigan;

Was made the special order for to-morrow, at eleven o'clock, A. M.

The President, by consent of the Senate, announced the following :

MESSAGE FROM THE OTHER HOUSE.

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 6, 1861.* }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following bill, entitled

A bill to legalize the tax roll of the township of Maple Grove, in the county of Barry, for the year 1860, and to extend the time for the collection of said taxes ;

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to

take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill ordered to be enrolled.

The Senate then adjourned.

---

*Lansing, Thursday, February 7, 1861.*

The Senate was called to order at 10 o'clock.

Prayer by Rev. Mr. Armstrong.

Roll called: a quorum present.

Leave of absence was granted to Senators Gale and Briggs.

Journal read and approved.

PETITIONS PRESENTED.

By Mr. Backus: petition of Peter Hill and 905 other mechanics of Michigan, praying for the amendment of our laws, to enable them to collect their just dues with more expedition and less expense;

Referred to the committee on the judiciary.

Mr. Backus also presented resolutions of a German Republican mass meeting in the city of Detroit,

Which were laid on the table and ordered printed.

By Mr. Strickland: petition of Nathaniel J. Daniels and 38 others, in favor of the change of the boundaries of counties;

Referred to the committee on towns and counties.

By Mr. Backus: remonstrance of Carl Engel and 418 German Republican citizens of Detroit, against the repeal of the personal liberty laws;

Referred to the committee on federal relations.

By Mr. Ingersoll: petition of J. S. Hitchcock, E. D. Gregory, B. Hanchett and 33 other citizens of Owosso, asking for an amendment of the present liquor law, relative to intoxicating drinks;

Referred to the committee on State affairs.

By Mr. Butterfield: petition of Luther Shaw and 58 others, asking for a law providing for a county superintendent of schools ;

Referred to the committee on public instruction.

By Mr. Hazen : petition of Wm. Grace, H. Whiting, H. Chamberlain and 22 others, asking for the passage of a law for a county superintendent of schools, and the reduction of township school inspectors to one ;

Referred to the committee on public instruction.

By Mr. McDermid : petition of E. H. C. Wilson and 108 others, citizens of the village of Hilldale, asking an amendment to the charter of said village ;

Which was referred to the committee on incorporations.

By Mr. Hazen : memorial of D. B. Harrington, asking relief in relation to certain swamp lands ;

Which was referred to the committee on public lands.

#### REPORTS OF STANDING COMMITTEES.

By the judiciary committee :

The committee on the judiciary, to whom was referred

Joint resolution proposing an amendment to section 2, of article 6, of the constitution of Michigan, relative to the number of judges of the supreme court and their term of office,

Have had the same under consideration, and would respectfully report the same back to the Senate and recommend it do pass.

All which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the joint resolution ordered printed, referred to the committee of the whole, and placed on the general order.

By the same committee:

The committee on the judiciary, to whom was referred

A bill to amend an act entitled an act to amend an act enti-

tled an act to revise the charter of the city of Detroit, approved February 5th, 1857, approved February 15th, 1859,

Have had the same under consideration, and would respectfully report the same back to the Senate, and recommend that it do pass.

All which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the same committee :

The committee on the judiciary, to whom was referred House joint resolution number four, for the transfer of certain scientific works from the State library to the library of the University, together with instructions,

Have had the same under consideration, and would respectfully report; that after a full examination of the several laws and resolutions transferring books, maps and plates from the State library to that of the University, they are of an opinion that and so report, that under the terms of the several laws and resolutions, all such books, maps and plates, that have been transferred are still the property of the State, and no change thereof has taken place by operation of any such laws or resolutions, and all such works so transferred are subject to the order of the legislature.

Your committee are of opinion that all the books and other works belonging to the State should be, and be kept in the State library; and in the opinion of your committee it is deeply to be deprecated that the accommodations of the library is not at present sufficient for all the works belonging to the State, for which reasons, under proper limitations, your committee can see no objections to the temporary transfer of such works as may be peculiarly useful to the University to the library of that institution. To that end, your committee herewith report amendments to the resolutions under consideration, as follows: After

University," in the second line, insert the words "to be returned, at any time, to the State library, on the order of the legislature or Governor;" and at the end of the resolution add the following proviso: "*Provided*, No proceeding shall be had for the purchase of any book, or other works, under this resolution, until the librarian of the University, or other person in charge of the University library, shall first receive from the State a receipt for all books, maps, plates, or other works now in the University library, naming them, and at any time heretofore transferred to the University library from the State library, and a list of all books and other works contemplated to be transferred under this resolution, stating that the same have been and are now subject to be returned on the order of the legislature or Governor;" and with said resolution so amended, they shall pass.

Which is respectfully submitted.

H. T. BACKUS, *Chairman*.

Which was accepted, the committee discharged, the amendment was adopted, and the joint resolution ordered to a third reading.

On the committee:

On the committee, to whom was referred

A resolution to authorize the Auditor General to draw his warrant on the State Treasurer to meet the appropriation made by the act of the 47th of the session laws of 1857,

Which was under consideration, and respectfully reported, that on the 4th day of September, 1841, the Congress of the United States passed an act entitled, "an act to appropriate the proceeds of the sales of the public lands, and to grant pre-emption rights," by which there was granted to the State of Ohio, and also to other States, five hundred thousand acres of public land. (Vol. 5, p. 455 U. S. Stat. at large.)

Which act says: "the lands herein granted to the States named, shall not be disposed of at a price less than one dollar and twenty-five cents per acre, until otherwise

authorized by a law of the United States ; *and the nett proceeds of the sales of said lands shall be faithfully applied to objects of internal improvement, namely: roads, railways, bridges, canals and improvement of water courses and draining of swamps,, &c.*

On the 14th of January, 1857, a bill was introduced into the Legislature of this State entitled "a bill to provide for the improvement of navigation over the sand flats of the Muskegon river." (House Journal, 1857, p. 75.)

January 16th of the same year the House passed the following resolution, namely :

"*Resolved*, That the Auditor General be required to report to this House respecting the 500,000 acres of internal improvement lands, giving a full and complete statement of the various appropriations heretofore made for internal improvement together with the object of the grant, the amount of land named in the several appropriations ; also, the amount, if any, which has been appropriated for any work of internal improvement and not expended, from the year 1848 to 1855 inclusive." (House Journal, 1857, p. 97.)

In response, the Auditor General on the 29th day of January, transmitted to the House a statement at length, by which it appears that the State had located under the act of Congress aforesaid, 494,103 77-100 acres of land, and had appropriated thereof 408,661 70-100 acres, and that there remained unappropriated 85,442 03-100 acres, which had been sold by the State. (House Document 1857, No. 12.)

Subsequently, on the 16th day of February, act number 14 of the session laws of 1857, was approved and became a law, which appropriated 50,000 dollars "for the improvement of navigation over the sand flats of the Muskegon river."

This act appoints three commissioners, and declares it the duty to construct such levees and other works between Muskegon Lake and Maple River as may be necessary to secure the free navigation of the Muskegon river. The sum, by the act, is appropriated and required to be paid from the internal improvement fund of this State. The commissioners are required



to employ a competent engineer and other assistance, and make all necessary examination and surveys, and to ascertain and determine what works are required.

The commissioners are then authorized to contract the work on the best terms, after advertising six successive weeks, at a price not to exceed the sum appropriated, which contract, when made, was not to take effect till approved by the Governor, and his approval endorsed thereon.

The 8th section provides that on the completion of the work, the commissioners, after obtaining the approval of the work by the Governor, shall endorse the fact of such completion on the contract, after which the contractor shall be entitled to payment from the sum by said act appropriated.

The commissioners are required by the act to take the constitutional oath of office, and they are to receive three dollars per day, payable out of the appropriation.

The 10th section of the act declares the channel to be constructed shall be a *public highway for the use of the citizens of this State forever*.

The commissioners appointed under the act of 1857, acting, as your committee have every reason to believe, in perfect good faith, and, as they supposed, within the terms of the law, advertised and let the work by contract to John A. Brooks, who was then a member of the Legislature, for the sum of fifty thousand dollars, which contract was duly approved by the Governor, and afterwards, at the legislative session of 1858, a law was passed extending the time for completing the work to January, 1860; and thereafter, and before any part of said work had been done, said Brooks transferred said contract to William Beard, of Brooklyn, in the State of New York, who has advanced the necessary amount of money and completed the work, and the same has been duly certified, by the commissioners and Governor, completed.

Your committee are satisfied, from all the information which they can obtain, that said improvement is a meritorious one, of great public utility, and has been most faithfully executed both

on the part of the commissioners and said board; and your committee have looked with not a little care, at the legal and equitable questions growing out of the subject submitted to them, and have come to the following conclusions :

1st. The contract having been let to Mr. Brooks, who, by section 18, of article 4 of the Constitution, was legally incompetent to make or hold it, the same was no contract; and the work, therefore, and the compensation for the same, is subject to the same rule as it would be had there been no contract. The work, then, and the compensation for the same, rests entirely on abstract principles of justice, and is a mere claim, addressed to the justice of the Legislature, to make such provisions therefor as honesty and good faith seems to require, and the Constitution may permit.

2d. The only means left to the Legislature after recognizing the justice of the claim for compensation, in view of the fact that an appropriation having been made for the improvement in question, is to refer the same to the board of State Auditors to audit and allow, at such amount as may seem right from the evidence that may be produced on the examination of the cost of the work, as the Constitution absolutely prohibits the Legislature either auditing or allowing any private claim. (Sec. 3 Art. 4, Constitution.)

3d. The committee have not been unmindful of the strong terms in which the Constitution forbids the State engaging in carrying on any work of internal improvement, except in the expenditure of grants to the State of lands or other property, which by clear implication forbids any appropriation for that purpose, except in the expenditure of such grants. (Section 1 Art. 14, Con.)

But after a careful examination of the whole matter, your committee are of opinion that this obstacle will not forbid action in this matter, when the justice of the case seems so imperatively to demand it,—and when they find that the Constitution clearly permits the State to engage in carrying on work of internal improvement by the expenditure of grants to the

When the State has made an appropriation for an improvement, clearly designed by the Legislature to be made by the use of grants of land made the State for such ob-

the report of the Auditor General in 1857, it is an amount of internal improvement fund greater than will require for its payment, has been expended for other purposes than internal improvement, leaving the State in debt to this fund, and upon which claim is justly a charge.

Our committee would recommend that whatever be allowed by the Auditors and paid on this claim, be charged over to the internal improvement fund, and not charge the State on its indebtedness to that fund. In this case no damage is done to the claimant, and no infraction of law is committed, when impliedly, on the provisions of the constitution. Our committee, pursuant to the foregoing recommendation, introduce joint resolutions which they recom-

H. T. BACKUS, *Chairman.*

was accepted, the committee discharged, and the bill, entitled

Resolution to authorize the Board of State Auditors to satisfy the claim of William Beard in the matter of the right of navigation over the sand flats of the Muskegon River, to authorize the Auditor General to draw his warrant on the Treasurer for such amount as may be allowed, printed twice, by title, ordered printed, referred to the Committee of the whole, and placed on the general order.

Committee on incorporations :

Report on incorporations, to whom was referred a bill to incorporate the village of Constantine, and to report that they have had the same under consideration. They report the said bill back to the Senate with recommendation that it do pass, and ask to be discharged.

JOS. R. WILLIAMS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

#### REPORTS OF SPECIAL COMMITTEES.

By the special committee on the division of the State into Congressional and Senatorial districts :

The special committee, to whom was referred the matter of districting the State into Senatorial districts,

Beg leave to report that they have had the same under consideration, and have instructed me as their chairman to report by bill, and recommend its passage, and ask to be discharged from the further consideration of the same.

J. L. NEAR, *Chairman.*

The report was accepted, the committee discharged, the bill ordered printed, referred to the committee of the whole, and placed on the general order.

#### MESSAGE FROM THE OTHER HOUSE :

The President announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, February 6, 1861. }

*To the President of the Senate :*

SIR :—I am instructed by the House to transmit the following bill, entitled

A bill to amend an act entitled an act to incorporate the village of Bay City, approved February 9, 1859 ;

Which has passed the House by a majority vote of all the members elect, and by a vote of two thirds of all the members elect, been ordered to take immediate effect, and in all which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill read twice by title, and referred to the committee on incorporations.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 6, 1861.* }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following joint resolution, entitled

Joint resolution to provide for the printing and distribution of the report of the State Geologist;

Which the House has amended by inserting after the words "Professor Winchell," in line 2, the words "and Professor Miles;" also, by inserting in line 5, after the word "copies," the words "to the assistant State Geologist, for distribution by him, two hundred copies;"

In the passage of which, as amended, the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the amendments concurred in

Mr. Baldwin moved to further amend the joint resolution by striking out the word "seven," in the fifth line, and inserting the word "five" in the place thereof.

Which motion did not prevail, a majority of all the Senators elect not voting therefor, as follows:

YEAS.

Mr. Adair,  
 Backus,  
 Bailey,  
 Baldwin,  
 Butterfield,  
 Coulter,

DeLand,  
 French,  
 Green,  
 Ingersoll,  
 Lacy,

Mr. Stout,  
 Strickland,  
 Tower,  
 Wilder,  
 Williams,

16

NAYS.

Mr. Baker,  
 Carpenter,  
 Jones,  
 Lane,

Mr. McDermid,  
 Monroe,  
 Mulholland,

Mr. Owen,  
 Webb,  
 Withey,

10

On motion of Mr. Stout,

The vote last taken was reconsidered, and the motion amend was adopted, by the following vote:

## YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baker,  
Baldwin,  
Brown,  
Butterfield,  
Carpenter,  
Coulter,  
DeLand,

Mr. French,  
Galloway,  
Green,  
Hason,  
Ingersoll,  
Jones,  
Lacy,  
McDermid,  
Monroe,

Mr. Near,  
Owen,  
Stout,  
Strickland,  
Tower,  
Webb,  
Wilder,  
Williams,  
Withey,

## NAYS.

Mr. Lane,

Mr. Mulholland,

The President also announced the following:

HOUSE OF REPRESENTATIVES,  
Lansing, February 6, 1861.

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following entitled bill:

A bill to authorize the trustees of the Central Methodist Episcopal Church of Lansing to borrow money and secure the payment thereof by mortgage on lot number 6, in block number in the city of Lansing;

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill ordered to be enrolled.

## MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Tower, leave being granted, introduced

A bill to authorize the Detroit & Milwaukee Railroad Company to issue stock in place of the original stock of the Detroit Milwaukee Railway Company;

Which was read twice, by title, laid on the table and ordered printed.

Mr. Hazen, leave being granted, introduced

A bill to amend act No. 200 of the session laws of 1859, being an act to encourage the manufacture of salt in the State of Michigan, approved February 15, 1859;

Which was read twice, by title, and referred to the committee on manufactures.

Mr. DeLand, leave being granted, introduced

A bill to amend an act entitled an act relative to convicts sentenced to solitary imprisonment in the State Prison for life, approved April 2, 1849;

Which was read twice, by title, and referred to the committee on State Prison.

Mr. DeLand, leave being granted, also introduced

A bill to amend an act entitled an act relative to the State Prison, approved February 12, 1857;

Which was read twice, by title, and referred to the committee on State prison.

Mr. Carpenter gave notice that he would, at some future time, ask leave to introduce

A bill so to amend the law in relation to deeds and mortgages, as to do away with the necessity of witnesses thereto.

Mr. Ingersoll gave notice that he would, on some future day, ask leave to introduce

Joint resolutions relative to the election of commissioners to represent the State of Michigan in the conference convention now in session at Washington, on the state of the Union.

#### SPECIAL ORDER.

On motion of Mr. Brown,

The Senate went into committee of the whole on the special order,

Mr. Williams in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report:

The committee of the whole have had under further consideration the following entitled bill :

A bill for the re-organization of the military forces of State of Michigan,

Have made some further progress therein, but, not having gone through therewith, have directed their chairman to report that fact to the Senate, and ask leave to sit again.

J. R. WILLIAMS, *Chairman*

The report was accepted, and the committee granted leave to sit again for the further consideration of the bill, which was made the special order for this afternoon, at 2 o'clock.

The Senate then took a recess until 2 o'clock P. M.

---

AFTERNOON SESSION.

The Senate was called to order at 2 o'clock

Roll called : a quorum present.

Leave of absence was granted to Senator Backus.

SPECIAL ORDER.

On motion of Mr. Brown,

The Senate went into committee of the whole on the unfinished special order,

Mr. Williams in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report :

The committee of the whole have had under further consideration the following entitled bill:

A bill for the re-organization of the military force of the State of Michigan ;

Have made some further progress therein, but, not having gone through therewith, have directed their chairman to report that fact to the Senate, and ask leave to sit again.

JOS. R. WILLIAMS, *Chairman*

The report was accepted, and the committee granted leave to sit again, for the further consideration of the bill.

The Senate then adjourned.



*Lansing, Friday, February 8, 1861.*

The Senate was called to order at 10 o'clock.

Prayer by Rev. Mr. Meyer.

Roll called : a quorum present.

Journal of yesterday read and approved.

PETITIONS PRESENTED.

By Mr Wilder : petition of B. A. Wood, R. C. Burtis, Calvin Sears, and 62 others, asking for a grant of swamp lands to build a road in the county of Tuscola;

Referred to the committee on public lands.

By Mr. Stout : remonstrance of Wm. Cone and 30 others, citizens of Oakland county, against altering highways in Troy, in said county;

Referred to the committee on roads and bridges.

REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary :

The committee on the judiciary, to whom was referred House bill No. 55, being

A bill to continue the authority of Circuit Court Commissioners after the expiration of their term of office, in certain cases,

Have had the same under consideration and would respectfully report the same back to the Senate and recommend that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee:

The committee on the judiciary, to whom was referred House bill No. 59, being

A bill to amend section 86, of an act entitled an act to amend chapter 93, of the revised statutes of 1846, entitled of courts held by justices of the peace, the same being section 3738 of the compiled laws,

Have had the same under consideration, and would respectfully report the same back to the Senate, and recommend that it do pass.

All which is respectfully submitted.

H. T. BACKUS, *Chairman*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee :

The committee on the judiciary, to whom was referred the petition of D. W. Mead and others, and also the petition of George Houghtleby and others, asking for a stringent usury law, have had the same under consideration, and would respectfully report that, in the opinion of your committee, the question of the rate of interest is a mere commercial one, and like every other question of that character, should, so far as possible, be left to be regulated by demand and supply, as established and indicated by the contract of parties. The time has been when the question of the rate of interest was thought to be wholly controlled by moral considerations as derived from the Moslem Theocracy. Hence the almost infinite variety of legislation that has illustrated this subject in different countries and different ages of the world, stringent and severe, or lax and unrestrained, as the sentiment of the times controlling the legislators varied in supposing the question a theological or commercial one.

As a result from the consideration of the whole subject, your committee are of the opinion it will be found that those countries and times which have suffered most severely from high rates of interest are those which have in fact at the same time the severest usury laws warring with the natural laws of commerce. And the result of this unnatural conflict has ever been either to drive away capital or to sharpen the wits of the time to find out methods to evade these severe laws, and then multiply the buyer of money, or in other words the borrowers, paying still more exorbitant rate of interest as an insurance against contingent detection in the violation of these severe laws.

In the opinion of your committee the moral objection, to say nothing of their civil inutility, is vastly stronger against any and all such law, than against any rate of interest which the contract of parties may agree upon, controlled, as that ever is and must be, by demand and supply. Admitting money to be, as it is, the standard of value of all other commodities subject to laws of commerce, your committee can see no more propriety in fixing by law the price of money,—that is, its interest—and guarding and enforcing on the people that price, than would be in fixing by laws and guarding by the same penalties the price of every other commodity known to commerce, and of the value of which this very money is the true representative. In the opinion of your committee, the only propriety of the existence of any law fixing the rate of interest that shall control contracts between individuals, is to supply a rate that shall apply in the many cases not provided for by the parties themselves. Nor is the integrity of this rule broken in upon by the practice of fixing by law the rate of interest allowable in the transactions of corporations; this rests upon considerations beyond and other than those affecting transactions between individuals.

Your committee therefore report back the petitions under consideration and recommend no action thereon, and ask to be discharged from the further consideration of the subject.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the petitions laid on the table.

By the committee on the asylum for the deaf, dumb and blind :

The committee on asylum for the deaf, dumb and blind, to whom was referred so much of the Governor's message as relates to that subject, and also a bill making an appropriation for said asylum, beg leave to report :

That in accordance with a resolution authorizing them so to do, your committee have visited the asylum, and through the

politeness of the Acting Commissioner, the Principal and his lady, have made as full and complete an examination of the institution and every matter pertaining thereto, as the time and circumstances would permit, and take pleasure in saying that so far as can be done with its present limited accommodation it is carrying out the humane design contemplated by the State in providing in the constitution that such an institution with others of like character should "always be fostered and supported."

The school building, or one first erected being the only one that can at present be occupied, is entirely inadequate for the accommodation of the pupils now in the institution, thus precluding any increase or allowing those to be received who are constantly applying for admission.

The entire structure contemplated in the original plan, except perhaps some out-buildings, is now erected at an expense of nearly one hundred thousand dollars. The buildings are well roofed with slate, and the windows of the basement story and center building are in, and true economy would dictate the entire completion of the buildings at the earliest possible period both for the interests of the institution and the State.

The work thus far has been well done, is substantial and permanent, and your committee think the appropriations heretofore made have been judiciously expended, and the entire expense of completing the buildings will not exceed the amount originally contemplated.

The rooms now occupied as study and recitation rooms, and also the temporary dormitory, the dining and bathing rooms are small, inconvenient and unhealthy, crowded as they are to their utmost capacity; and all the water for washing and bathing purposes has to be carried in and cut by hand, and is attended with great inconvenience.

The necessity of finishing a portion of the buildings already erected and so nearly ready for use, seems to your committee to be so indispensable, that they cannot doubt that the Legislature

the people of the State, will approve of an appropriate purpose.

indeed be a short sighted economy, that would withhold all amount now needed, in order to render available expenditure already made, and your committee do not tax payers of the State wish to commence such a retrenchment as shall cripple and embarrass our benevolent institutions.

As of the institution would seem to require that the present story of the new buildings, comprising the wash and bathing rooms, and the workshops, should be finished, and your committee, therefore, recommend an appropriation of ten thousand dollars for the year 1861, for that and for the entire completion of the two wings, the sum of fifteen thousand dollars for the year 1862, which they recommend be incorporated in the State tax for the years for which such appropriations are made.

The wings are on either side of the centre building, and are intended for study rooms, hospital and dormitories in each, the one to be occupied by males and the other by females.

For the better preservation of the remainder of the building, the roof and windows in the front building ought to be repaired. The building finished on the outside, but your committee felt constrained to limit the work and the appropriation, for, to the actual and pressing necessities of the case. There are now in the institution about 100 pupils of various different degrees of advancement, according to the time they have been under instruction and their different natural capacities, but all evincing a love for their studies, and an evident anxiety to improve, while many exhibited a rapid advancement truly surprising.

The present principal and his lady, as well as the teachers, possess confidence and affection of the pupils and are devoted to their work, and the committee were particularly interested in the intellectual cultivation of the mute teachers of the

institution, and in noticing the general harmony, good order and system that prevailed.

Your committee have also had under consideration the subject of the maintenance of the pupils in the Asylum, as referred in the message of his excellency Gov. Blair, and are unanimously of the opinion that no change should be made by which the institution would not be free to all the pupils from our own State, and have come to that conclusion from the following reasons:

1. The policy of the State is to afford a common school education free of charge to all her more fortunate children whose natural faculties are perfect and unimpaired, and why not do the same for that unfortunate class whose "sightless eyes" and "mute lips" implore like provision in their behalf?

2. Three-fourths of those now in the Asylum (and the proportion will probably hold good in the future) are children of parents in such indigent circumstances that they are either really or would think themselves to be, unable to pay the tuition, or do more than they are now required, towards the maintenance of their children in the institution, and that class would thus be deprived of the education which must be obtained there, if at all.

3. Should a portion of the pupils pay, and the rest be admitted either free or as a county charge, it must necessarily interfere with the very wholesome regulations of the institution with respect to manual labor, which are as necessary to the physical culture as science to the mental, and would also inevitably lead to the odious feeling of caste among the students.

Your committee herewith report back the bill referred to them, with an amendment to the title, and a new section, in accordance with the recommendations of this report, and as so amended recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

All of which is respectfully submitted.

GEO. H. FRENCH, *Chairman.*

It was accepted, the committee discharged, and the bill was referred to the committee of the whole, and placed on the calendar.

Committee on enrolled bills :

Committee on enrolled bills, to whom was referred a bill to legalize the tax roll of the township of Maple Grove, City of Barry, for the year 1860, and to extend the collection of said taxes therein,

report that they have had the same under consideration and find the same correctly enrolled, and ask to be referred from the further consideration of the same.

W. BAKER JR., *for the Committee.*

It was accepted, and the bill signed and presented for the Governor's approval.

Committee on internal improvements:

Committee on internal improvements, to whom was referred

a bill to repeal act No. 257, of the session laws of 1859, enacted authorizing the commissioners of highways of this State to establish water-courses, and locate ditches in certain lands, approved February 15th, 1859,

and the same under consideration, and have instructed the committee, that in the opinion of this committee, the law so repealed is so intricate in its provisions, and so complicated in its details that it has, up to the present time, remained wholly or nearly a dead letter upon our statute books. The committee have come to the unanimous conclusion that a law of this kind, answering the purpose for which the law was enacted, is a public necessity—that a law of this kind should be very plain and simple in its provisions, and easy of execution, so that the class of persons who are chosen to enforce such laws and carry out their provisions should be able to do so without danger to the interests of the State, or costs for legal advice. Your committee are

therefore constrained to report the bill back to the Senate, without amendments, and recommend that the same do pass.

J. CARPENTER, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on incorporations:

The committee on incorporations, to whom was referred

A bill to amend an act entitled an act to incorporate the village of Bay City, approved February 9th, 1859,

Have had the same under consideration, and respectfully report the same back to the Senate without amendment, recommend its passage, and ask to be discharged from the further consideration of the same.

JOS. R. WILLIAMS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee:

The committee on incorporations, to whom was referred

A bill to amend an act entitled an act to amend an act to incorporate the village of Kalamazoo, and the acts amendatory thereto, approved April 1, 1850, and the acts amendatory thereto,

Respectfully report that they have had the same under consideration, and report the same back to the Senate without amendment. They recommend that the same do pass, and ask to be discharged from the further consideration of the subject.

JOS. R. WILLIAMS, *Chairman.*

The report was accepted, the committee discharged, and the bill laid on the table and ordered printed.

By the committee on the State library:

The committee on the State Library respectfully report that their attention has been called to the fact that the names and residences of the Governor, Lieutenant Governor, State Officers and Legislature, are not prefixed to the publications of the laws of the State. They discover that it is customary in many of



the States of the Union to incorporate these facts in their publications. They deem such prefix desirable and convenient, and for purposes of reference to citizens of other States, where the volumes of our State laws are distributed, sometimes necessary.

The committee therefore report the accompanying joint resolution, recommend its passage, and ask to be discharged.

JOS. R. WILLIAMS, *for the Committee.*

The report was accepted, the committee discharged, and the joint resolution, entitled

Joint resolution, that the names of the State officers, legislature, &c., shall be prefixed to the publication of the laws,

Was read twice, and, the rule being suspended, ordered to a third reading.

By the committee on incorporations:

The committee on incorporations, to whom was referred sundry petitions asking for an amendment of the charter of the village of Hillsdale, have had the same under advisement, and have directed me to introduce a bill in compliance with the prayer of the petitioners. Your committee hereby recommend the passage of the said bill, and ask to be discharged from the further consideration of the subject.

J. CARPENTER, *for the Committee.*

The report was accepted, the committee discharged, and the bill read twice, and, the rule being suspended, ordered to a third reading.

#### MESSAGES FROM THE OTHER HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 7, 1861.*

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following bill, entitled

A bill to amend an act to provide punishment for fraudulently removing or embezzling property under chattel mortgages, approved February 15, 1859;

Also,

A bill to provide for publishing the statistics of the State of Michigan, taken by authority of the United States, in the year one thousand eight hundred and sixty;

Which have passed the House by a majority vote of all the members elect, in all of which the concurrence of the Senate was respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, the bills read twice, by title, the first named referred to the committee on the judiciary and the last to the committee on State affairs.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, February 7, 1861. }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following bill, entitled :

A bill to amend sections 7, 13 and 21, of chapter 12 of the revised statutes, the same being 154, 160, and 173 of compiled laws,

Which the House has amended by striking out, in section 1, all between the word "amended," in line 2, and the word "read," in line 5, and inserting in lieu thereof the words "so as to;"

Also,

By inserting the words "and fifty," after the word "hundred," in line 9 of section 1;

Also,

By inserting in line 12, section 1, the words "and fifty," after the word "hundred;"

Also,

By striking out in lines 2 and 3, of section 2, the words "by inserting after the word 'examination,' in the 4th line of said section, the words the moneys in the treasury, and so that said section shall," and inserting in lieu thereof the words "so as to;"

Also,

By inserting in the fifth line of section 2, after the words "Auditor General," the words "and Commissioner of the Land Office;"

Also,

By striking out in lines 2, 3, and 4, of section 3, the words "by inserting after the word 'him,' in the 4th line of said section, the words and the moneys in the treasury, and by inserting after the word 'account,' in the fourth line of said section, the words, and such moneys, so the section shall," and inserting in lieu thereof the words "so as to;"

Also,

By striking out the word "he," where it occurs in lines 5, 7 and 8, of section 3, and inserting in lieu thereof the word "they;"

The House has amended the title by adding thereto the words "relative to the bonds of the State Treasurer;"

In the passage of which as amended the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, the amendments concurred in, and the bill ordered to be enrolled.

Also the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, February 7, 1861. }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following entitled bill:

A bill to repeal an act entitled an act to amend chapter 23 of the revised statutes of 1846, relative to highway taxes, approved April 2, 1850,

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill ordered to enrolled.

Also the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, February 7, 1861. }

*To the President of the Senate :*

SIR :—I am instructed to return to the Senate the following entitled bill :

A bill to authorize the sale by the State Treasurer of ten thousand copies of the compiled laws;

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, the action of the House ordering the bill to take immediate effect, concurred in by a vote of two-thirds of all the Senators elect, and the bill ordered to be enrolled.

Also the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, February 7, 1861. }

*To the President of the Senate :*

SIR :—I am instructed to return to the Senate the following bill, entitled

A bill to change the name of Clarissa Mellissa Wing Clara Barnes ;

Which the House has amended by adding thereto the following :

“ *Provided*, That this act shall not take effect until the said Samuel A. Barnes and Harriet Barnes shall execute, acknowledge, and file in the office of the judge of probate of the county of Jackson, an instrument in writing, under their hands and seals, adopting the said Clarissa Melissa Wing, as their law

heir: *Provided further*, That in such case the said Samuel A. Barnes and Harriet Barnes shall thereupon stand in place of parents to such child-in-law, and be liable to all the duties, and entitled to all the rights of parents thereto, and the said Clarissa Melissa Wing shall thereupon become their heir-at law, the same as if their real child;"

In the passage of which, as amended, the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the amendments and order of the House concurred in by the following vote, two-thirds of all the Senators elect voting therefor:

#### YEAS.

Mr. Adair,	Mr. Galloway,	Mr. Mulholland,	
Backus,	Green,	Near,	
Baker,	Hazen,	Owen,	
Baldwin,	Ingersoll,	Strickland,	
Brown,	Jones,	Tower,	
Carpenter,	Lacy,	Webb,	
DeLand,	Lane,	Wilder,	
French,	McDermid,	Williams,	
Gale,	Monroe,	Withey,	27

#### NAYS.

Mr. Butterfield,	Mr. Stout,	2
------------------	------------	---

The bill was ordered to be enrolled.

Also the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, February 7, 1861. }

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following bills, entitled:

A bill attaching certain territory to the township of Geneva, in Tuscola county;

Also,

A bill to repeal an act to authorize Bay county to raise money by the issue of bonds to aid in the construction of a road, approved February 14, 1859,

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, the bills read twice by title, the first named referred to the committee on towns and counties, and the last to the committee on incorporations.

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Stout moved that the reading of the journal be dispensed with from and after this day.

On motion of Mr. Owen,

The motion was laid on the table.

Mr. Gale, leave being granted, introduced

A bill making appropriation for paying indebtedness incurred by repairing damage done by the fire at the reform school ;

Which was read twice by title, and referred to the committee on finance.

Mr. Baker gave notice that he would, at some future time ask leave to introduce

A bill to create and establish a State system of banking.

Mr. Hazen gave notice that on some future day he would ask leave to introduce

A bill to amend section 18, of chapter 175, of the compiled laws.

Mr. DeLand, unanimous consent being given, introduced

Joint resolution for the relief of Preston Mitchell and John L. Mitchell ;

Which was read twice, by title, and referred to the committee on claims.

On motion of Mr. Strickland,

The order of the House, that Senate bill, entitled

A bill to authorize the trustees of the Central Methodist Episcopal Church of Lansing to borrow money, and secure the payment thereof by mortgage on lot number six, in block number ninety-six, in the city of Lansing,

Take immediate effect, was concurred in by a vote of two-thirds of all the Senators elect.

Mr. Wilder, leave being granted, introduced

A bill to attach fractional township 17 north, range 19 east, to the township of Caseville, in Huron county ;

Which were read twice, by title, and referred to the committee on towns and counties.

Mr. DeLand gave notice that on some future day he would ask leave to introduce

A bill granting to the Grand River Valley Railroad Company the right of way over certain State lands, and extending the time for the construction of the same.

On motion of Mr. Withey, it was

*Resolved*, (by the Senate,) That the Commissioner of the State Land Office, be and is hereby requested to report to this body at an early day, what State lands have been trespassed upon within the two years prior to 1861, and where situated, so far as is shown by his department ; what settlements for trespasses have been made, and by whom ; what amount in money and demands has been received on account of such trespasses, and from whom collected or received, and their several places of residence ; what agents have been employed in looking after such lands, their respective places of residence, their expenses and the amount collected, and the amount accounted for by each.

#### THIRD READING.

House joint resolution No. 8, being

Joint resolution for the transfer of certain scientific works from the State library to the library of the University,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. Galloway,	Mr. Monroe,	
Backus,	Green,	Near,	
Baker,	Hazen,	Owen,	
Baldwin,	Ingersoll,	Strickland,	
Brown,	Jones,	Tower,	
Butterfield,	Lacy,	Wilder,	
Carpenter,	Lane,	Withey,	
DeLand,	McDermid,		23

## NAYS.

Mr. Mulholland,	1
-----------------	---

The title was agreed to.

House bill No. 55, being

A bill to continue the authority of the Circuit Court Commissioners after the expiration of their term of office, in certain cases,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. French,	Mr. Monroe,	
Backus,	Galloway,	Mulholland,	
Bailey,	Green,	Near,	
Baker,	Hazen,	Owen,	
Baldwin,	Ingersoll,	Tower,	
Brown,	Jones,	Webb,	
Butterfield,	Lacy,	Wilder,	
Carpenter,	Lane,	Williams,	
DeLand,	McDermid,	Withey,	27

## NAYS.

0

The title was agreed to.

House bill, No. 59, being

A bill to amend section 86, of an act entitled an act to amend chapter 93 of the revised statutes of 1846, entitled of courts held by justices of the peace, the same being section 3738, of the compiled laws,

Having been reached in the order of third reading,

Mr. Strickland, with unanimous consent, moved to amend the



same, by striking out of the fifth line the words, "on his own motion;"

Which motion prevailed.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Adair,	Mr. French,	Mr. McDermid,	
Backus,	Galloway,	Monroe,	
Bailey,	Green,	Near,	
Baldwin,	Hazen,	Strickland,	
Brown,	Jones,	Webb,	
Butterfield,	Lacy,	Withey,	
DeLand,	Lane,		20

## NAYS.

Mr. Baker,	Mr. Tower,	Mr. Wilder,	
Mulholland,			4

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

House bill, entitled

A bill to amend an act entitled an act to incorporate the village of Bay City, approved February 9, 1859,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. Galloway,	Mr. Near,	
Backus,	Green,	Owen,	
Bailey,	Ingersoll,	Stout,	
Baker,	Jones,	Strickland,	
Baldwin,	Lacy,	Tower,	
Brown,	Lane,	Webb,	
Butterfield,	McDermid,	Wilder,	
DeLand,	Monroe,	Williams,	
French,	Mulholland,	Withey,	27

## NAYS

0

The title was agreed to, and the bill ordered to take immediate effect, by a vote of two-thirds of all said Senators.

Senate bill, entitled

A bill to amend the charter of the village of Hillsdale,

Came up for a third reading, and,  
 On motion of Mr. McDermid,  
 The same was laid on the table.  
 Senate joint resolution, entitled  
 Joint resolution on prefix of names of State officers and Leg  
 islature to the publication of the laws of the State,  
 Was read a third time and passed, a majority of all the Sena  
 tors elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. Green,	Mr. Near,
Backus,	Hazen,	Owen,
Bailey,	Ingersoll,	Stout,
Baker,	Jones,	Strickland,
Baldwin,	Lacy,	Tower,
Brown,	Lane,	Webb,
Butterfield,	McDermid,	Williams,
French,	Monroe,	Withey,
Galloway,		

## NAYS.

Mr. DeLand,	Mr. Mulholland,	Mr. Wilder,
-------------	-----------------	-------------

The title was agreed to.

## SPECIAL ORDER.

On motion of Mr. Brown,  
 The Senate went into committee of the whole on the unfinished special order,  
 Mr. Williams in the chair.

After some time spent therein, the committee rose and through their chairman, made the following report :

The committee of the whole have had under further consideration the following entitled bill:

A bill for the reorganization of the military forces of the State of Michigan;

Have made several amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein.

J. R. WILLIAMS, *Chairman.*

The report was accepted, the committee discharged, and the amendments concurred in.

On motion of Mr. DeLand,

The bill was recommitted to the committee on militia, with instructions to strike out all those parts respecting the office of Inspector General, and to amend further to make the bill conform thereto, or to report by substitute.

The Senate then took a recess till 2 o'clock, P. M.

---

AFTERNOON SESSION.

The Senate was called to order at half past two o'clock.

Roll called : a quorum present.

Leave of absence was granted to Senators Backus and Owen.

SPECIAL ORDER.

The Senate went into committee of the whole on the unfinished special order,

Mr. Monroe in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report :

The committee of the whole have had under consideration the following entitled bills :

A bill to provide the means for the redemption of the bonds of the State, maturing January 1, A. D. 1863 ;

Also,

A bill to provide for the payment of the indebtedness of the State ;

Have made several amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein.

D. MONROE, *Chairman.*

The report was accepted, the amendments concurred in, and the bills laid on the table.

The Senate then adjourned.

*Lansing, Saturday, February 9, 1861.*

The Senate was called to order at 10 o'clock.

Prayer by Rev. Mr. Armstrong.

Roll called: a quorum present.

Leave of absence was granted to Senator Gale until Tuesday to Senator Bailey for an indefinite period, and to the Assistant Sergeant-at-Arms until Tuesday.

On motion of Mr. Stout,

The reading of the journal was dispensed with for the remainder of the session.

#### PRESENTATION OF PETITIONS.

By Mr. Brown: petition of Thomas Wright, Anson Bonfoy and 96 others, citizens of the county of Kalamazoo, asking that the wine and beer clause of the prohibitory liquor law of 1855 be restored; also that act 201, of the session laws of 1859, relating to the adulteration of liquors be so amended as to dispense with the appointment of authorized inspectors, and make it a per se offense for any and every one that sells adulterated liquors to be such by the actual analysis of any competent analytical chemist who will attest that analysis by his legal oath.

Referred to the committee on the judiciary.

By Mr. Carpenter: petition of W. W. Bliss, John Young and 88 others, citizens of Lenawee county, for a law appropriating 20,000 acres of swamp lands to build a road through and drain the Cottonwood swamp, in said county;

Referred to the committee on public lands.

By Mr. Tower: petition of E. Stevenson, F. Hall and 70 others, for so changing the law that the highway commissioners may apportion highway labor in proportion to the wants of the several road districts;

Referred to the committee on the judiciary.

By Mr. Coulter: petition of Algerine Maryweather and 10 others, asking for a law to prohibit mining corporations from engaging in mercantile pursuits;

Referred to the same committee.

By Mr. Monroe: petition of Lawyer & Young, and 177 others,

ers, citizens of Branch county, praying that measures may be taken to amend the Constitution of this State, so as to permit the establishment of a system of banking therein, similar to the system in the States of Ohio and Indiana;

Referred to the committee on incorporations.

By Mr. Lane : petition of Philip Bach and 60 others, citizens of Washtenaw county, for the same ;

Referred to the same committee.

By Mr. Backus: petition of David Carr and 29 others for the same;

Referred to the same committee.

Also, of John Boyce and 18 others for the same;

Referred to the same committee.

By Mr. Ingersoll: petition of Ira W. Rush, John S. Gates, Freeman Blair, and other citizens of Shiawassee county, relative to school district libraries;

Referred to the committee on public instruction.

Also, petition of Stephen Killinger, Erastus W. Blair, and other citizens of Shiawassee county, asking for a law providing for county superintendents of schools;

Referred to the same committee.

By Mr. Williams: petition of Comfort Tyler, J. G. Wait, and other citizens of St Joseph county, praying for an alteration of section 15, act No. 164, session laws of 1857, relative to discontinuance of highways;

Referred to the committee on roads and bridges.

#### REPORTS OF STANDING COMMITTEES.

By the judiciary committee :

The committee on the judiciary, to whom was referred the petition of William Gilbert and others, asking for an amendment of the Constitution so as to enable the legislature to establish a banking system similar to that of Ohio and Indiana,

Have had the same under consideration, and would respectfully report that one of the distinguishing features and perhaps financial excellence of the system of banking as adopted and in

operation in the States of Ohio and Indiana, is the feature of mother or principal bank, and a cordon of branches scattered various points through the States, as indicated by the business wants of different parts of the State and the capacity of such locations to support the same, and then all the branches and the mother bank to become reciprocally guarantors, not only of the good conduct, but the solvency of each other. This class of banking presents another advantage peculiarly adapted to the necessity of a new country, over that of the so-called stock security system, (which is more adapted to the condition of things in an old country, where capital is more abundant, and seeks investment at a lower rate of interest,) the former permitting the use of the whole capital for affording those facilities of currency to the people that banks legitimately are intended for, while the latter ties up a large amount of the capital in securities at a lower rate of interest than capital is actually worth, and in that proportion diminishing the capacity of the banks for usefulness in affording a currency, and necessarily preventing capital from seeking any such investment. This latter system is much better suited to the condition of things in an old country, where capital is more abundant, and seeks investment at a lower rate of interest than in a new country where the whole capital is insufficient to meet the daily business demands of the country. This latter system of banking has nowhere been able to succeed but where there is an actual surplus of capital, that is willing to seek an investment at lower rates of interest than the actual worth of money in most new countries like ours, or where the individuals engaged in such banking have organized and carried on the banks mainly with an eye to affording them individually a currency for prosecuting business other than that of legitimate banking.

The provisions of our present Constitution prevent the organization of a banking system like that of Ohio and Indiana, in other words, the State bank system.

The desire and wants of our people demand from the Legislature some action, if possible, to secure them at the earliest

time a currency of their own, and rid them from the scourge of the present depreciated paper that floods them from other States.

Your committee would therefore recommend that the present Legislature provide by law for organizing a State bank system, to become operative on the adoption of the necessary amendments to the Constitution and the law itself, and they are induced to recommend this somewhat anomalous course in order to secure at the earliest possible time, the greatly desired benefit of a home currency, and in furtherance of that end your committee herewith report a joint resolution for the amendment of the Constitution, so far modifying the present Constitution as to permit this desired system of banking, and recommend that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the joint resolution ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary :

The committee on the judiciary, to whom was referred the preamble and resolution, asking the passage of an act requiring the Auditor General to charge Bay county, in the books of said office, the sum of one thousand three hundred and ninety-three and thirty-nine one hundredths dollars, and credit the same amount to Saginaw county, on taxes alleged to have been collected under the last equalization from Saginaw county, on the valuation of property in the townships of Williams and Hampton, subsequently set off to Bay county;

Have had the same under consideration, and would respectfully report, that the difficulty complained of is this : After the equalization by the State Board, of the real and personal estate subject to taxation in the county of Saginaw, Bay county was organized and the two townships of Williams and Hampton, which formed a part of Saginaw county at the time of the equalization, were detached from Saginaw county, and embraced in the newly organized county of Bay ; and yet the

State tax continued to be apportioned to Saginaw county on the basis of the equalization that existed before said townships were so set off, and while they remained a part of Saginaw county; thereby, as claimed by said preamble and resolution, making Saginaw county still continue to pay a tax on the aggregate assessment of said two townships, when they do not belong to said county, and in fact paid none of said tax. It is claimed to make an excess of payment by Saginaw county of \$1,893 39 over and above the just amount.

Your committee are well aware that there is at least a seeming injustice in this matter, and a seeming justice that the amount should be refunded by Bay county; but yet, after all, it does not appear that Bay county has in fact collected these or any other taxes of this amount from the townships referred to, even if it did any, the action of the Legislature that by subsequent legislation should seek to put this right, would be subject to criticism, as to its legal competency. The truth is, the fault was in the passage of the law organizing Bay county, in not providing for this difficulty, which those conducting the measure, and having the interests of the two counties concerned in charge, should have seen to at the time.

Your committee are of opinion that any movement on the part of the present Legislature to correct this matter by present retrospective legislation, would be very objectionable, as opening a precedent to requirements from other portions of the State, for the *ex facto* settlement of their county difficulties of longer or shorter standing, and the evil would not stop here, but would necessarily be productive of no small confusion in the public offices of the State, managing the finances, compelling a going back and unsettling matters there which had been supposed to be finally adjusted.

In view of these considerations, your committee are of opinion that it would be unwise and wholly inexpedient at this time to interfere with the matter, fully believing that the present injustice done to Saginaw county, would be much more counterbalanced by the necessary evils attendant on any



retrospective legislation, to say nothing of the incompetency of such a course.

Your committee, therefore, report back the preamble and resolution, and recommend no further action on the same, and ask to be discharged from the further consideration thereof.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the preamble and joint resolution laid on the table.

By the committee on militia :

The committee on militia, to whom was recommitted Senate bill No 50, being

A bill to provide for the re-organization of the military forces of the State,

In accordance with instructions, report a substitute for said bill.

S. F. BROWN, *Chairman.*

The report was accepted, the committee discharged, and the substitute, entitled

A bill to amend an act entitled an act to provide a military fund in aid of the volunteer uniformed militia, approved February 14, 1859,

Read twice, laid on the table and ordered printed.

#### REPORTS OF SPECIAL COMMITTEES.

By the special joint committee of investigation :

The joint committee, to investigate the treasury department of this State, and the official acts of John McKinney, have instructed us to report the following facts, viz : that the late State Treasurer, John McKinney, having been previously summoned to appear as a witness, after considerable delay did appear before the committee at an adjourned meeting last evening, (Friday, Feb. 11,) and being asked by the chairman to be sworn, requested to be informed of the authority by which the committee acted. The joint resolution having been fully read or explained to him, he was again asked if he would be sworn,

when he requested first to know the oath he was required to take, which was written out, and at his request handed him to read, which oath was in the following words, viz :

"You do solemnly swear that the answers you shall make to the interrogatories which may be put to you touching the matters which are the subjects of investigation before this committee, shall be true."

The said John McKinney did then, in the following words, refuse to be sworn, viz :

"I decline to be sworn by you, or to answer any questions touching the subjects of your inquiry, and the following are my reasons for declining, viz : I understand I am threatened with a criminal prosecution, and have reason to anticipate that such prosecution may be instituted ; I therefore decline to be sworn or to answer any questions, from motives of self-protection."

The committee then stated to the said John McKinney, in substance, that their power was for the present exhausted and they might retire, but with the information also that his examination might yet be required upon some points, and that he was discharged from his attendance upon the committee for examination, and that he was to remain here until the further pleasure of the Legislature should be ascertained in the matter.

The joint committee respectfully submit these facts, that such action may be taken by the Legislature as may be deemed expedient.

H. P. BALDWIN,

*Chairman Senate Committee*

JAMES F. JOY,

*Chairman of House Committee*

The report was accepted.

Mr. Stout, with the consent of the Senate, introduced the following:

*Whereas*, John McKinney (late State Treasurer) having been duly summoned to appear before the joint investigating committee, and upon appearance refuses to be sworn ; therefore

*Resolved*, That the Sergeant-at-Arms of the Senate be authorized and required to take into custody said John McKinney for contempt.

Mr. Ingersoll moved to amend by adding, at the end of the resolution the words "and bring him to the bar of the Senate;"

Which amendment was accepted, and the preamble and resolution was adopted.

MESSAGES FROM THE OTHER HOUSE.

The President announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 8, 1861.* }

*To the President of the Senate :*

SIR:—I am instructed by the House to transmit the following bill, entitled

A bill to authorize certain highways to be laid out less than four rods wide ;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table and the bill read twice, by title, and referred to the committee on roads and bridges.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 8, 1861.* }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following bill, entitled

A bill to change the name of William Franklin Kelley;

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to

take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives*

The message was laid on the table, and the bill ordered to be enrolled.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, February 8, 1861. }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following joint resolution, entitled

Joint resolution to provide for the printing and distribution of the report of the State Geologist;

And to inform the Senate that the House has concurred in the amendment made by striking the word "seven" in line 5, and inserting in lieu thereof the word "five."

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the joint resolution ordered to be enrolled.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, February 8, 1861. }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following entitled bills:

1. A bill to change the name of Nellie Frances Augur to Nellie Frances Hull;
2. A bill to change the name of Alonzo M. Baldwin;
3. A bill to change the name of Cynthia Massey to Tinn Young;

Also, the following joint resolution, entitled

Joint resolution authorizing the State Treasurer to provide for the interest due upon the bonds of the State, in July and

January next, and to pay the interest thereon, and upon the floating debt of the State;

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bills and joint resolution ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, February 8, 1861. }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following bill, entitled

A bill to amend an act entitled an act to provide for the incorporation of railroad companies, approved Feb. 12, 1855;

Which the House has amended by striking out the word "act" in line 7, of section 1, and inserting the word "section" in lieu thereof;

Also,

By inserting the words "dam, fill up or divert the course of," after the word "bridge" in line 9, of section 1;

In the passage of which as amended the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the amendments concurred in, by the following vote :

YEAS.

Mr. Adair,  
Backus,  
Baker,  
Briggs,

Mr. French,  
Galloway,  
Green,  
Hazen,

Mr. Owen,  
Stout,  
Strickland,  
Tower,

Brown,  
Butterfield,  
Carpenter,  
Coulter,  
DeLand,

Jones,  
Lacy,  
McDermid,  
Monroe,  
Near,

Webb,  
Wilder,  
Williams,  
Withey,

# NAYS.

Mr. Lane,

Mr. Mulholland,

The bill was ordered to be enrolled.

## MOTIONS, RESOLUTIONS AND NOTICES.

Mr. DeLand moved to take from the table

A bill to change the name of John Gregg to Charles Welton Hill,

And place the same on the order of third reading;

Which motion prevailed.

Mr. DeLand, unanimous consent being given, introduced

A bill to exempt from taxation the lands belonging to incorporated colleges and academies ;

Which was read twice, by title, and referred to the committee on public instruction.

Mr. DeLand, previous notice having been given, introduced

A bill granting to the Grand River Valley Railroad Company the right of way across certain State lands, and extending time for the construction of the same ;

Which was read twice, by title, and referred to the committee on incorporations.

Mr. Withey, previous notice having been given, introduced

A bill to quiet title in the county of Kent ;

Which was read twice by title, and referred to the committee on the judiciary.

Mr. Tower, unanimous consent being given, introduced

A bill to amend article 2, section 5, of chapter 20, compiling laws, relative to persons liable to work on highways, and making assessment therefor ;

Which was read twice, by title, and referred to the committee on the judiciary.

Mr. Hazen, leave being granted, introduced

A bill to amend section 18, of chapter 175, of the compiled laws, in relation to fees of jurors ;

Which was read twice, by title, and referred to the committee on the judiciary.

Mr. Wilder moved to take from the table

A bill to repeal an act entitled an act to provide against the recovery of damages done by beasts on lands not enclosed by a lawful fence, approved March 17, 1847, being sec. 628, of the compiled laws,

And that it be ordered printed, referred to the committee of the whole, and placed on the general order ;

Which motion prevailed.

Mr. McDermid moved to take from the table

A bill to amend the charter of the village of Hillsdale,

And that the same be placed on the order of third reading ;

Which motion prevailed.

Mr. Owen asked leave to withdraw certain affidavits, petitions, and a bill introduced by him, to repeal act No. 229, session laws 1849. Said bill was introduced to vacate a certain highway in the township of Troy, Oakland county, established by said act. Since the bill was introduced the opinion of the Attorney General has been obtained to the effect that the Board of Supervisors have power to make the desired alteration.

Leave was granted.

Mr. Backus, leave being granted, introduced

A bill to amend section 3, of an act entitled an act to define the limits, jurisdiction and powers of circuit courts, approved April 8, 1851, being section 3413 of compiled laws ;

Which was read twice, by title, and referred to the committee on the judiciary.

On motion of Mr. Owen,

Senate bill No. 58, being

A bill to authorize the Detroit and Milwaukee railroad company to issue stock in place of the original stock of the Detroit and Milwaukee railway company,

Was taken from the table and referred to the committee on incorporations.

Mr. Wilder gave notice that on some future day he would ask leave to introduce

A bill changing the name of the village of Willow Creek in the county of Huron.

Mr. French gave notice that on some future day he would ask leave to introduce

A bill to amend section 1661 of the compiled laws.

On motion of Mr. Stout,

Senate bill No. 15, being

A bill to provide for the indebtedness of the State,

Was taken from the table.

Of the amendments made in committee of the whole on the first, second, third, sixth, seventh, eighth, ninth, tenth, eleventh and twelfth were concurred in, and the fourth and fifth non-concurred in.

On motion of Mr. Stout,

The third line of section 8 was further amended by striking out the word "ten" and inserting the word "five;" also inserting between the words "fund" and "shall," the words "with the interest accruing thereon."

Mr. Withey, by unanimous consent, moved to reconsider the vote by which the resolution for the arrest of John McKim was adopted;

Which motion did not prevail.

On motion of Mr. Stout,

The bill under consideration was further amended by adding the following to the last section: "*And provided further,* that in no case shall any loss accrue to the several trust funds on reason of investment of the same in stocks, but the sums so invested shall remain credited to their respective funds until such time as they shall be used in the purchase of stock of this State, and be transferred as authorized by this section."

The Sergeant-at-Arms announced that, by virtue of the po



y the Senate, he had arrested John McKinney,  
w within the bar; whereupon,

Mr. Stout, it was

at the President be directed to ask Mr. McKinney  
ed to be sworn by the joint committee on the  
f the treasury.

nt propounded the question, authorized by the,  
ollows:

ey, do you still refuse to be sworn by the joint  
ne investigation of the treasury?"

y answered in the words following:

cline to be sworn by the joint committee."

introduced the following:

at the committee on the judiciary be instructed  
rges and specifications in writing for the use of  
case of the alleged contempt of the Senate now  
ation.

ation was lost.

Mr. Ingersoll,

which his resolution was lost, was reconsidered.  
ffered the following as a substitute:

e joint committee of the Senate and House of Re-  
o investigate the official acts of John McKinney,  
asurer, fully authorized to send for persons and  
administer oaths, have subpoenaed the said John  
he having appeared before said committee and  
o be sworn or answer any interrogatories pro-  
said committee;

Such a refusal is a direct and unequivocal con-  
thority of the Senate and House;

, The said John McKinney having been brought  
ate in pursuance of its order, and still refuses to  
e said committee whereby he still further persists  
pt; therefore

at the Sergeant-at-Arms is hereby directed to con-  
ohn McKinney in some safe and suitable place to

await the further action of the Senate, or until he shall pur himself of such contempt.

Mr. Ingersoll accepted the substitute, and the same was adopted.

Mr. Ingersoll offered the following :

*Whereas*, It is the usual custom of one branch of the legislature, in conducting the examination under charge of contempt of its body, to invite as counsel some member of the co-ordinating branch of the legislature ; therefore be it

*Resolved*, That the Secretary of the Senate be instructed to invite the Hon. T. W. Lockwood, of the House of Representatives, and the Hon. Charles Upson, Attorney General of the State, to act as counsel on the part of the Senate, in conducting the examination for contempt, now pending before the Senate.

Which preamble and resolution were laid on the table.

Mr. Baker moved to amend section 8 of the bill under consideration by inserting immediately after the words "State of the following : "bonds and mortgages upon unincumbered improved farms in this State, at  $\frac{2}{3}$  of their appraised value, as from the value of the buildings. The value to be ascertained by the affidavit of two disinterested persons residing near the land. The absence of incumbrance to be shown by the certificate of the register of deeds of the county where the lands are. Said bonds and mortgages to become due in five years from the date thereof. All expenses to be paid by the applicant and draw 10 per cent. interest if not paid when due."

Pending which motion,

Mr. Galloway moved that the Senate adjourn.

Pending this motion, the President, with the consent of the Senate, read the following note:

HON. JAMES BIENNY :

DEAR SIR:—Permit me, in the name of the Trustees and Faculty of the Michigan Female College, to respectfully invite the attendance of yourself and the gentlemen constituting the Honorable Body, the Senate of the State of Michigan, to the ex-

cises of our junior exhibition, to be held in the Hall of the Representatives, at 7½ o'clock, this evening.

I have the honor to remain yours, with much respect,

A. C. ROGERS.

The Senate then adjourned till Monday morning, at 10 o'clock.

---

*Lansing, Monday, February 11, 1861*

The Senate was called to order by the President at 10 o'clock.

Roll called : a quorum present.

Leave of absence was granted to Senators Bailey, Butterfield and Coulter.

#### PETITIONS PRESENTED.

By Mr. Monroe : petition of E. G. Berry and 72 others, praying for an amendment of the Constitution of this State, and for the establishment of a system of banking similar to the system of Ohio and Indiana ;

Referred to the committee on incorporations.

By Mr. Lacy : petition of Samuel Messenger and 151 others, citizens of Berrien county, praying for the passage of a law imposing a tax upon dogs ;

Referred to the committee on agriculture.

By Mr. Wilder : petition of Langdon Hubbard, J. M. Grant, Richard Winson and 62 others, inhabitants of the village of Willow Creek, asking that the name of said village may be changed to Huron City ;

Referred to the committee on towns and counties.

By Mr. Baldwin : petition of J. D. Barker, Josiah Dart and 48 other citizens of Nankin, Wayne county, for repeal or modification of the personal liberty laws, and for the adoption of some measures to re-unite the people of the North and the South ;

Referred to the committee on federal relations.

By Mr. Wilder : Petition of the supervisors of Huron county and 86 citizens of said county, praying that the commissioners of the Port Hope and Saginaw Bay State Road, may be author-

ized to change the location of said road, and that there be grant of swamp land made to improve the same;

Referred to the committee on public lands.

By Mr. Baker; petition of Matilda N. Lamb and 36 others praying that the constitution be so amended as to allow women the right of suffrage;

Referred to the committee on federal relations.

By Mr. Withey; petition of Milo White and 15 others, citizens of Kent county, asking a law providing for county superintendents of schools;

Referred to the committee on public instruction.

#### REPORTS OF STANDING COMMITTEES.

By the judiciary committee:

The committee on the judiciary, to whom was referred

A bill to amend section eighteen, of chapter 175, of the compiled laws, in relation to fees of jurors;

Have had the same under consideration, and would respectfully report the same back to the Senate and recommend that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the same committee:

The committee on the judiciary, to whom was referred

A bill to amend section 3 of an act entitled an act to define the limits, jurisdiction and powers of Circuit Courts, approved April 8, 1851, being section 3413 of compiled laws,

Have had the same under consideration and would respectfully report the same back to the Senate and recommend that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the

and printed, referred to the committee of the whole, and the general order.

same committee :

committee on the judiciary, to whom was referred House , being

amend an act entitled an act to provide punishment ently removing or embezzling property under chattel , approved February 15th, 1859,

and the same under consideration, and would respect- t the same back to the Senate, and recommend that

which is respectfully submitted.

H. T. BACKUS, *Chairman.*

ort was accepted, the committee discharged, the bill the committee of the whole, and placed on the gene-

same committee :

committee on the judiciary, to whom was referred the

William Wright and others, for an amendment to the on so as to enable the Legislature to establish a bank- ystem similar to that of Ohio and Indiana,

and the same under consideration and would respect- rt that the object sought by the said petition is

provided for by resolutions now pending before the

Your committee; therefore, report said petition back to

, and ask to be discharged from the further consider-

the same.

which is respectfully submitted.

H. T. BACKUS, *Chairman.*

ort was accepted, the committee discharged, and the id on the table.

same committee:

committee on the judiciary, to whom was referred the pe-

E. Stevenson, F. Hall, and 70 others, to so change the

law that the highway commissioners may apportion labor in proportion to the wants of of the several road districts,

Have had the same under consideration, and would respectfully report back to the Senate the petition, together with a bill which effects the object of the petition, which bill they recommend do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered printed, and the bill and petition laid on the table.

By the same committee:

The committee on the judiciary, to whom was referred House bill No. 51, to amend sections 8, 9, 16, and 18, of chapter 94, of the revised statutes of 1846, the same being chapter 118 of the compiled laws,

Have had the same under consideration and would respectfully report, that they approve of the provisions of said bill as contained in sections 8, 9 and 16, and believe they will be found an improvement on the existing law, but as to the provisions of section 18, and its amendments as contained in the bill under consideration, which provides for appeals in criminal cases before justices of the peace, your committee think the same inexpedient and unwise; and further, that a bill has passed the Senate, or is now pending there, providing for repeal of section 18, and in relation to which your committee can discover no reason for changing their opinion. Your committee therefore recommend to amend the bill under consideration, by striking from the title thereof and from the body of the bill section 18, and as so amended recommend that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, the amendment concurred in, and the bill referred to the committee of the whole, and placed on the general order.

By the same committee:

The committee on the judiciary, to whom was referred the petition of Thomas Bristol, Anson Bonfoy and 90 others, citizens of the county of Kalamazoo, asking that the wine, beer and cider clause of the prohibitory liquor law of 1855, be restored, and also that act 201, of the session laws of 1856, relative to the adulteration of liquors, be so amended as to dispense with the appointment of authorized inspectors, and make it a penal offense for any one to sell adulterated liquors,

Have had the same under consideration, and would respectfully report that both subjects embraced in said petition are now pending before the Senate by bills embracing the subject of the petition.

Your committee therefore report the said petition back to the Senate, and ask to be discharged from the further consideration of the same.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the petition laid on the table.

By the same committee:

The committee on the judiciary, to whom was referred the petition of Algeron Merryweather and twenty-four others, asking for the passage of a law to prohibit money corporations from engaging in mercantile pursuits;

Have had the same under consideration, and would respectfully report that they can see no well founded reasons why these mining corporations should be prohibited from engaging in mercantile pursuits, in connection with their principal business, mining; but on the contrary, your committee can conceive many reasons why they should be permitted so to do, and among some of the most prominent are those connected with the welfare and best interest of the operatives themselves in the employ of these companies, and whose necessities and wants are better secured in this way than they possibly could be were their employers prohibited this branch of business, in connection with the principal object of such companies, mining,

In the opinion of your committee, were these companies prohibited from engaging in mercantile pursuits, at least to the extent of providing for those in their employ, a certain resource for the supply of such necessities and comforts as were needed by their operatives, this class of individuals engaged in the business of mining in those remote parts where it is prosecuted, would be left often either to actual want, or the exorbitant demands of transient traders, who might place themselves there to take advantage of such necessities.

In the opinion of your committee, the very reasons alleged by the petitioners for suppressing this branch of business, to the mining companies, when well considered and in their proper light, are much stronger reasons for than against the continuance of the business complained of by these mining companies. Your committee, therefore, report back the petition, and recommend no further action in the matter, and ask to be discharged from the further consideration of the same.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the petition laid on the table.

By the same committee :

The committee on the judiciary to whom was referred

A bill to amend section 1661, of chapter 52. of compiled laws, in relation to the manufacture and sale of spirituous or intoxicating liquors as a beverage,

Have had the same under consideration and would respectfully report that the amendment made by the bill in question to the existing law, is to prohibit the manufacturing and sale of cider, beer and wine of domestic manufacture. The consideration of this matter to a large extent, necessarily involves questions of considerable importance to the industrial pursuits of our citizens, as well as the moral considerations, which are likewise of no small importance, in that view of it, to still another larger portion of our people. The decision of this matter as to



whether our people shall be allowed to pursue this branch of home industry, is in all respects much more appropriate and better for the consideration and course of inquiry, incident to the duties of the committee on manufactures, which branch of industry will be largely affected by its provisions, the one way or the other, than to that of the judiciary committee, whose duties naturally lead them into other channels of thought.

Your committee, therefore, report the bill back to the Senate with the recommendation that the same be referred to the committee on manufactures for the full consideration that the importance of the subject demands.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman*.

The report was accepted, the committee discharged, and the bill referred to the committee on manufactures,

The joint committee on mines and minerals, to whom was referred so much of the Governors' messages as relate to the mining interest of the State submitted a report, which

On motion of Mr. DeLand,

Was laid on the table and ordered printed.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to provide for publishing the statistics of the State of Michigan, taken by authority of the United States, in the year one thousand eight hundred and sixty;

Report that they have had the same under consideration, and entertain the opinion that the compendium of the census usually published by Congress is sufficient for the purposes contemplated in the bill, and accordingly return the same to the Senate, with the recommendation that it do not pass.

B. G. STOUT, *Chairman*.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole and placed on the general order.

By the committee on manufactures:

The committee on manufactures, to whom was referred

A bill exempting sewing machines from levy and sale on execution,

Have had the same under consideration, and believing that our laws are already sufficiently liberal in their exemption would report said bill back to the Senate, and recommend that it do not pass, and ask to be discharged from the further consideration thereof.

D. G. WILDER, *Chairman.*

The report was accepted, the committee discharged, and the bill referred to the committee of the whole, and placed on the general order.

By the committee on incorporations:

The committee on incorporations, to whom was referred

A bill to repeal an act to authorize Bay county to raise money by the issue of bonds to aid in the construction of a road approved February 14, 1859,

Respectfully report the same back to the Senate without amendment, and recommend its passage. They ask to be discharged from the further consideration of the subject.

JOS. R. WILLIAMS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on engrossment and enrollment:

The committee on enrolled bills, to whom was referred the following:

A bill to change the name of Clarissa Melissa Wing Clata Barnes;

Also,

A bill to repeal an act entitled an act to amend chapter 2 of the revised statutes of 1846, relative to highway taxes approved April 2, 1850;

Also,

A bill to authorize the sale, by the State Treasurer, of two thousand copies of the compiled laws;

Also,

A bill to amend sections seven, thirteen and twenty-one, of the revised statutes, the same being sections one hundred and fifty-four, one hundred and sixty, and one hundred and seventy-three, of compiled laws,

Respectfully report that they have had the said bills under consideration, and find the same correctly enrolled, and ask to be discharged from the further consideration of the same.

H. C. BRIGGS, *Chairman*.

The report was accepted, committee discharged, and the several bills signed and presented to the Governor.

By the committee on incorporations :

The committee on incorporations, to whom was referred

A bill to authorize the Detroit & Milwaukee Railroad Company to issue stock in place of the original stock of the Detroit & Milwaukee Railway Company,

Have had the same under consideration. They discover no reason why the same should not be reported back to the Senate with a favorable recommendation, except that there is a single important legal question involved. They therefore recommend that the bill herewith returned should be referred to the committee on the judiciary, and ask to be discharged from the further consideration of the subject.

JOS. R. WILLIAMS, *Chairman*.

The report was accepted, the committee discharged, and the bill referred to the committee on the judiciary.

By the committee on finance:

The committee on finance, to whom was referred

A bill to provide for a treasury system for the State of Michigan,

Report that they have had the same under consideration, and while they find some of its provisions worthy of adoption, they regard the general policy contemplated by the bill as impracticable. Your committee therefore return the same to the Senate, with the recommendation that it do not pass.

B. G. STOUT, *for Committee*.

The report was accepted, the committee discharged and the bill laid on the table.

MESSAGES FROM THE OTHER HOUSE.

The President announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, February 11, 1861. }

*To the President of the Senate :*

SIR:—I am instructed by the House to transmit the following bill, entitled

A bill to amend an act to amend certain sections of an act to incorporate the city of Flint, approved February 13, 1857, approved February 2, 1857.

Which has passed the House by a majority vote of all the members elect, in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, the bill read twice by title, and referred to the committee on incorporations.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, February 11, 1861. }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following bill, entitled:

A bill to amend section 25, of title 4, and section 4, of title 11, of an act entitled an act to revise the charter of the city of Grand Rapids ;

Also,

A bill to authorize the First Presbyterian Society in Ann Arbor to borrow money and secure the payment thereof,

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same

to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill ordered to be enrolled.

MOTIONS, RESOLUTIONS AND NOTICES.

The Sergeant-at-Arms announced that, having been informed by Mr. John McKinney that he is under the guidance of spirits out of the flesh, and, apprehending that he might be possessed by the spirit of a Swartwout or a Fowler, and under such influence be induced to depart for parts unknown, he had placed him in the city lock-up.

Mr. Ingersoll offered the following:

*Whereas*, It has come to the knowledge of this Senate, that under the direction of the Attorney General of the State, a criminal prosecution has been commenced against John McKinney, late State Treasurer, and that papers for his arrest have been placed in the hands of the sheriff of this county, who is now awaiting the action of this body; therefore, be it

*Resolved*, That the Sergeant-at-Arms of the Senate, who has Mr. John McKinney now in close confinement for a contempt of this body, be and he is hereby directed to discharge said McKinney from further custody;

Which preamble and resolution were adopted.

Mr. Strickland, leave being granted, introduced

A bill to amend chapter 194 of the compiled laws relative to the arrest and examination of offenders, commitment for trial and taking bail;

Which was read twice, by title, and referred the committee on the judiciary.

Mr. Carpenter, pursuant to notice, introduced

A bill to regulate the execution of deeds and mortgages;

Which was read twice, by title, and referred to the committee on judiciary.

Mr. Monroe, leave being granted, introduced

A bill to regulate government and to establish order in primary schools;

Which was read twice, by title, and referred to the committee on public instruction.

Mr. Monroe gave notice, that at an early day he would introduce.

A bill to incorporate the city of Coldwater, in the county of Branch.

Mr. Wilder, pursuant to notice, introduced

A bill to change the name of the village of Willow Creek, in the county of Huron, to Huron city.

Which was read twice, by title, and referred to the committee on towns and counties.

Mr. Ingersoll, unanimous consent being given, introduced

A bill to provide for the superintendence and care of the City and Tuscola county plank road;

Which was read twice, by title, and referred to the committee on incorporations.

On motion of Mr. French,

The committee of the whole was discharged from the further consideration of

Senate bill No. 22, being

A bill to consolidate, revise and amend the several acts incorporating the trustees of the Wesleyan Seminary at Albion, and the acts amendatory thereto.

Mr. French offered a substitute for the same, entitled

A bill to amend an act entitled an act amendatory to the several acts in relation to the Wesleyan Seminary, at Albion, and the Albion Female College Institute, approved February 9, 1855.

Which substitute was adopted, and the same was ordered to a third reading.

Mr. Briggs gave notice that on some future day he would leave to introduce

A bill to regulate the payment of entry fees in appeal cases.

Mr. Wilder gave notice that on some future day he would ask leave to introduce

A bill authorizing the commissioners on the Port Hope and Saginaw Bay State road to change its location, and making a grant of swamp lands for its improvement.

On motion of Mr. Stout,

The committee of the whole was discharged from the further consideration of the appropriation bills, being

Senate bill, No. 37, entitled

A bill making an appropriation for the support of the Michigan Asylum for the deaf, dumb and blind at Flint ;

Also, Senate bill No. 38, entitled

A bill making an appropriation for the support of the State Agricultural College ;

And the same were made the special order for Wednesday next, at two o'clock, P. M.

#### THIRD READING.

Senate bill, entitled

A bill to change the name of John Gregg to Charles Welcome Hill,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

#### YEAS.

Mr. Adair,  
Backus,  
Baldwin,  
Briggs,  
Brown,  
Carpenter,  
DeLand,  
French,  
Galloway,

Mr. Green,  
Hazen,  
Ingersoll,  
Jones,  
Lacy,  
Lane,  
McDermid,  
Mulholland,

Mr. Near,  
Owen,  
Strickland,  
Tower,  
Webb,  
Wilder,  
Williams,  
Withey,

25

#### NAYS.

Mr. Monroe,

1

The title was agreed to.

Senate bill, entitled

A bill to amend the charter of the village of Hillsdale,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Baldwin,  
Briggs,  
Brown,  
Carpenter,  
DeLand,  
French,  
Galloway,

Mr. Hazen,  
Ingersoll,  
Jones,  
Lacy,  
Lane,  
McDermid,  
Monroe,

Mr. Mulholland,  
Near,  
Strickland,  
Webb,  
Wilder,  
Williams,  
Withey,

## NAYS.

Mr. Adair,

The title was agreed to, and the bill ordered to take immediate effect, by the vote of two-thirds of all of said Senators.  
House bill, entitled

A bill to repeal an act to authorize Bay county to raise money, by the issue of bonds, to aid in the construction of a road, approved February 14, 1859.

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,  
Backus,  
Baldwin,  
Briggs,  
Brown,  
Carpenter,  
DeLand,  
French,  
Galloway,

Mr. Hazen,  
Ingersoll,  
Jones,  
Lacy,  
Lane,  
McDermid,  
Monroe,  
Mulholland,

Mr. Near,  
Owen,  
Stout,  
Strickland,  
Tower,  
Wilder,  
Williams,  
Withey,

## NAYS.

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

Senate bill No. 22, entitled.

A bill to amend an act entitled an act amendatory to the several acts in relation to the Wesleyan Seminary at Albion, and the Albion Female Collegiate Institute, approved February 9, 1857.

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:



## YEAS.

Mr. Adair,  
Backus,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Carpenter,  
DeLand,  
French,

Mr. Galloway,  
Hazen,  
Lacy,  
Lane,  
McDermid,  
Monroe,  
Mulholland,  
Near,

Mr. Owen,  
Stout,  
Strickland,  
Tower,  
Webb,  
Wikder,  
Williams,  
Withey,

25

## NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

## UNFINISHED BUSINESS.

Senate bill No. 15, entitled

A bill to provide for the payment of the indebtedness of the State,

Being the unfinished business of Saturday last, the same was taken up.

Pending the motion to amend section 8 by inserting immediately after the words "State or," the following: "bonds and mortgages upon unincumbered improved farms in this State, at  $\frac{1}{2}$  of their appraised value, aside from the value of the buildings. The value to be ascertained by the affidavit of two disinterested persons residing near the land. The absence of incumbrance to be shown by the certificate of the register of deeds of the county where the lands are. Said bonds and mortgages to become due in five years from the date thereof. All expenses to be paid by the applicant, and to draw 10 per cent. interest if not paid when due,"

Mr. Strickland moved to amend the motion to amend by adding thereto the words following: "Said mortgages to contain an attorney fee of \$100, to be paid if proceedings are taken to foreclose the same."

Which amendment was accepted.

The motion to amend did not prevail.

Mr. Ingersoll moved to reconsider the vote by which the amendment was lost;

Pending which,  
On motion of Mr. Withey,  
The Senate then took a recess till 2 o'clock, P. M.

#### AFTERNOON SESSION.

The Senate was called to order at 2 o'clock

Roll called : a quorum present.

The consideration of Senate bill No. 15, entitled,

A bill to provide for the payment of the indebtedness of the State,

Being the unfinished business, was resumed.

The pending motion to reconsider the vote by which the motion to amend section 8 was lost did not prevail, the following being to vote thereon :

#### YEAS.

Mr. Baker,  
Carpenter,  
Ingersoll,  
Lane,

Mr. Monroe,  
Near,  
Strickland,

Mr. Tower,  
Webb,  
Wilder,

#### NAYS.

Mr. Adair,  
Backus,  
Baldwin,  
Briggs,  
Brown,  
DeLand,

Mr. French,  
Galloway,  
Green,  
Hazen,  
Jones,  
Lacy,

Mr. McDermid,  
Mulholland,  
Owen,  
Stout,  
Williams,  
Withey,

Mr Stout moved to strike out section 9 ;

Which motion prevailed.

Mr. Wilder moved to amend section 8, by striking out all after the word "state," in the eighth line, down to the word "provided," in the eleventh line ;

Which motion did not prevail.

Mr. Stout moved to strike out the word "Secretary of State" in the eighth line of section 11, and insert "Auditor General"

Which motion prevailed.

Mr. Baker moved to strike out all after the enacting clause

Which motion did not prevail, the following being the vote thereon :

## YEAS.

Mr. Baker,  
Carpenter,Mr. Ingersoll,  
Wilder,

Mr. Williams,

5.

## NAYS.

Mr. Adair,  
Backus,  
Baldwin,  
Briggs,  
Brown,  
DeLand,  
French,  
Galloway,Mr. Green,  
Hazen,  
Jones,  
Lacy,  
Lane,  
McDermid,  
Monroe,  
Mulholland,Mr. Near,  
Owen,  
Stout,  
Strickland,  
Tower,  
Webb,  
Withey,

23

On motion of Mr. Stout,

The bill was referred to the committee on engrossment and enrollment.

Mr. DeLand, by unanimous consent, moved to take from the table

Senate bill No. 40, being

A bill to provide the means for the redemption of the bonds of the State maturing January 1, A. D. 1863;

Which motion prevailed.

On motion of Mr. DeLand,

The amendments made in committee of the whole were concurred in, in gross;

And the bill was referred to the committee on engrossment and enrollment.

The President, unanimous consent being given, announced the following:

## MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,  
*Lansing, February 11, 1861.* }*To the Senate:*

I have approved and deposited in the office of the Secretary of State the following:

An act to legalize the tax roll of the township of Maple Grove, in the county of Barry, for the year 1860, and to extend the time for the collection of said taxes;

Also,

An act entitled an act "to extend the time for the collection of taxes in the townships of Clay, Kimball, and Riley, in the county of St. Clair;

Also,

An act entitled an act to extend the time for the collection of taxes in the townships of Clyde, Columbus and St. Clair, in the county of St. Clair ;

Also,

An act entitled an act to extend the time for the collection of taxes in the townships of Casco and Wales, in the county of St. Clair.

AUSTIN BLAIR.

The message was laid on the table.

#### GENERAL ORDER.

On motion of Mr. DeLand,

The Senate went into committee of the whole on the general order,

Mr. Baker in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report :

The committee of the whole have had under consideration Senate bill No. 43, being

A bill to authorize and empower judges of probate to license executors, administrators and guardians to mortgage or otherwise pledge estate for the settlement of debts against the same

Also, Senate bill No. 44, being

A bill to amend an act entitled an act to authorize proceedings against garnishees and for other purposes, approved March 28th, 1849, chapter 141 of the compiled laws;

Also, Senate bill No. 45, being

A bill to establish the Detroit House of Correction, and authorize the confinement of convicted persons therein ;

Have made several amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend their passage.

WM. BAKER, JR., *Chairman.*

The report was accepted, the committee discharged, the amendments concurred in, in gross, and the two first named bills ordered to a third reading.

The last named bill being under consideration,

Mr. DeLand moved to strike out of the 8th line of section 11, the word "three," and insert "one."

The bill was ordered to a third reading.

The President, with the consent of the Senate, announced the following

MESSAGE FROM THE OTHER HOUSE.

HOUSE OF REPRESENTATIVES, }  
Lansing, February 11, 1861. }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following entitled bill, being Senate bill No. 24, to amend

An act entitled an act disposing of certain grants of land made to the State of Michigan for railroad purposes, by act of Congress, approved June 8, 1856, approved February 14, 1857;

Which the House has amended by inserting after the figures "1862," in line 6, of section 1, the following: "except that the roads in the Upper Peninsula of this State, shall not be obliged to complete such twenty miles, until January 1st, 1863;

Also, by inserting after the words 1864, in section 1, as follows: "Except that the roads in the Upper Peninsula, shall be entitled to one year longer in each instance for such construction and completion."

Also, by adding to section 1, the following proviso: "*Provided*, That the Amboy, Lansing and Traverse Bay Railroad company shall locate their depot buildings at Lansing, within twenty rods of a line drawn east and west from the Capital square, situated on section 16, in the township of Lansing;"

In the passage of which, as amended, the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the amendments occurred in, in gross, by the following vote :

## YEAS.

Mr. Adair,  
Backus,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Carpenter,  
DeLand,

Mr. French,  
Galloway,  
Green,  
Hazen,  
Ingersoll,  
Jones,  
Lacy,  
McDermid,

Mr. Monroe,  
Mulholland,  
Near,  
Owen,  
Tower,  
Wilker,  
Williams,

## NAYS.

The bill was then ordered to be enrolled.

On motion of Mr. Brown.

The Senate adjourned.

---

*Lansing, Tuesday, February 12, 1861.*

The Senate was called to order at 10 o'clock.

Prayer by Rev. Mr. Vibbert.

Roll called: a quorum present.

## PETITIONS PRESENTED.

By Mr. French: petition of H. Bower, R. G. Hall and 52 others, residents of Calhoun county, praying for the passage of an act in regard to the organization and government of the State University, so as clearly to define and settle the relative rights and powers of the regents, president and professors of said institution, and place its government on a firm and permanent basis;

Referred to the committee on public instruction.

By Mr. Withey: petition of E. L. Gray, and 53 others, citizens of Newaygo and Kent counties, praying for relief to John Farr, contractor for the State road from north line of Kent county to Northport

Also, petition of Philander Tracey, Louis Campau and 15 other citizens of Kent county, asking for an appropriation of swamp lands for the construction of a road from Big Prairie,

of Newaygo, to the city of Grand Rapids, in the  
ent;

tion of Ann Kinney, of Kent county, asking relief  
to the northwest quarter of the northeast quarter of  
n town 7 north, of range 12 west.

tion of John Ball and 12 others, citizens of Kent  
ing that the relief prayed for by Ann Kinney be

which petitions were referred to the committee on

#### REPORTS OF STANDING COMMITTEES.

committee on the judiciary :

committee on the judiciary, to whom was referred the  
V. B. Williams and seventeen other citizens of Alle-  
praying the enactment of a law whereby persons  
the seventh day of the week as the Sabbath, may  
from being compelled to appear in suits upon that

the same under consideration and would respect-  
that there are in this State a large and respectable  
most worthy citizens who conscientiously believe  
urday, or the seventh day, is the day and portion of  
art, by divine appointment, to be observed as the  
at from their number as well as known and ac-  
character for probity, industry and all the other  
stituting the valuable citizen, are entitled at the  
Legislature to all that respect and regard in the  
their conscientious scruples and religious sentiment  
demand, and the relative rights of others will pre-  
t too much interfering with public justice and its  
on. The policy of other countries has provided for  
consciences of this and other classes of people  
the same peculiar faith, and your committee are un-  
why Michigan, as far as possible, should not pursue  
eral policy.

committee therefore report back said petition, together

with a bill to effectuate the object of the petitioners, as far as in the opinion of your committee the situation of things permit, and recommend it do pass, and ask to be discharged from the further consideration of the the same.

All which is respectfully submitted.

H. T. BACKUS, *Chairman*

Report accepted and committee discharged.

The bill was read twice, ordered printed, referred to the committee of the whole and placed on the general order; and petition laid on the table.

By the committee on finance :

The committee on finance, to whom was referred

A bill making appropriations for paying indebtedness incurred by repairing damage done by fire at the reform school;

Respectfully report that they have had the same under consideration, and herewith submit a substitute, with the recommendation that it do pass, and ask to be discharged from further consideration of the same.

H. P. BALDWIN, *Chairman*

The report was accepted, the committee discharged, and substitute adopted.

The rule was suspended, and the bill ordered to a third reading.

By the judiciary committee :

The committee on the judiciary, to whom was referred

A bill to amend sections eleven and one hundred and twenty-seven, of chapter 117, of the compiled laws;

Report that they have had the same under consideration, and return the same without amendment, and recommend that it do pass, and ask to be discharged.

H. T. BACKUS, *Chairman*

The report was accepted, the committee discharged, the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands :



The committee on public lands, to whom was referred the petition of D. B. Harrington, representing that he purchased certain swamp lands situated in the counties of Sanilac and St. Clair, amounting to 930 acres, under the act of 1851 authorizing their sale and drainage, complaining that the spirit and provisions of said law have not been carried out; that said lands purchased by him are of little or no value in consequence of the provisions of said law not being carried out, and asking relief therein, respectfully report that they have had the same under consideration, and report the same back to the Senate, and recommend that it do not pass, with an opinion that the relief asked for cannot be given by any action of the legislature, on ground that the law of 1851, providing for draining swamp land, has been repealed, and a law enacted providing for and authorizing any person who had purchased any of said swamp lands, to surrender to the State his title, thereby entitling said purchaser to a return of his purchase money, and your committee ask to be discharged from the further consideration of the subject.

**EZRA HAZEN, *Chairman.***

The report was accepted, the committee discharged, and the petition laid on the table.

By the committee on state prison :

The committee on State Prison, to whom was referred so much of the retiring Governor's and also the present Governor's messages as related to the subject of prison, and a like committee from the other House by a concurrent resolution of both Houses were authorized to act as a joint committee ; and "that they have leave to visit the state prison, examine the same in all its parts, and report to the Senate and House, any change they may deem necessary to be made in the mechanical department or otherwise, and the amount necessary to be appropriated for the use and support, or improvement of said prison for the next two years,"

Beg leave to report that they visited the state prison at Jackson in person, that they were kindly received and treated by

the officers and keepers of the prison, by whom they were shown through its several departments. We would state that the general appearance of the prison has an air of order, cleanliness and general comfort to all of the inmates in the prison.

We had free and uncontrolled privilege of visiting all of the shops, cells, and other apartments of the prison; all of which had the appearance of careful order and neatness; and with free and unrestrained conversation with many of the convicts in the hospital, cells, shops, and in many other departments, we did not find any who complained of want or harsh treatment, but expressed themselves satisfied with the care and treatment of the prison officers.

We find that the prison is full, almost to its utmost capacity. The prison is in great need of more shop room; a large number of convicts are now idle and unemployed, just by reason of not having sufficient shop room. The present contractors cannot do any more, because the shops are now already crowded. Your committee do not believe it would be practicable to build any more shops in the now present crowded state of the prison yard. The yard is full almost to repletion, and in case of fire it would endanger the entire number of shops, as well as the manufactured and raw materials of the contractors. Your committee would, therefore, earnestly recommend the enlargement of the prison yard,—the building of a range of new shops—and that being done, then instead of keeping between one and two hundred convicts at an expense to the State, and unemployed, they could be made to earn their own keeping and not be a burden to the State.

Your committee would also recommend that the inspectors be authorized by law, to have authority to make arrangements, with the proper authorities of the house of correction, of the city of Detroit, to keep all the females now in the State prison, and any other convicts who may hereafter be sent to the prison who are over the age of sixteen, and under twenty-two years of age; and also, to transfer such other prisoners as they, the inspectors and Governor, may think is for the best interest

the prison and the convicts. And still, with such an outlet to the prison cells, we deem it to be the best policy of the State, that the west L. should be built for the purpose of putting in additional cells, as wanted.

Now your committee believe that with the enlargement of the yard, the erection of a range of new work shops, and the two Ls, as contemplated, and when needed there will be ample room and capacity for one thousand persons, and will therefore supercede the necessity, for a long time to come, for the erection of any new prison. We therefore, with all due deference to the retiring Governor, would not advise, for the present, the commencement of a new prison.

Your committee would further recommend that the law be amended in what is known in common prison language as "good time," so that the convict shall be entitled to five days per month for all the time he is sentenced, of one year or for a term of years.

For the reason that liberty is the strongest incentive that you can set before the convict to obedience, in complying to prison discipline, your committee were informed by the officers of the prison, that since the "good time" law had been adopted, there had been less infraction of prison discipline, and more careful compliance with the prison rules and regulations ; than by any and all other motives and rules heretofore adopted.

Your committee would suggest and advise, since it is the genius and policy of our government, "Reform and not Revenge ;" whether it would not be more in conformity to the spirit of the age in which we live, to leave it discretionary with the inspectors of the prison to admit the life convicts the privilege of the labor of the shops and yard, like other convicts who are sentenced for life ; rather than keep them, at great expense, immured and buried alive ; destroying, at a slow but certain rate, both the mental and physical man ; for it is impossible, with our present organization, to live and retain our mental faculties in such living and never dying graves.

We think the safety to the community and the ends of justice

would be equally guarded and served, to make the change, and the cause of humanity greatly promoted to a c of the most unfortunate beings in our country ; many of w in an unguarded or in an unexpected moment commit the c of murder, both to their astonishment as well as that of world ; and find themselves doomed to the felons cell for life

Your committee were informed by the prison officers, previous to there being any solitary cells, the working of life convicts with the other convicts had operated well, and among them all ; there certainly can be no more danger their escape than of any other class of convicts.

And further, your committee believe from what they can le of the decisions and conclusions of juries of many trials w the case is involved in doubt and mystified with circumstances evidence, that the jury are more apt to condemn now under present law than they would if the offence was punishable death, and therefore we would recommend that a liberal cretionary power be exercised upon the side of mercy.

The committee, in accordance with the suggestions and a ations in the law, have prepared bills for appropriations, the other alterations necessary to carry out the propo changes, and have directed me as their chairman to report t and recommend their passage, and that the committee be charged from the further consideration of the subject.

JOHN L. NEAR,

*Chairman of Joint Committee*

The report was accepted, the committee discharged, and several bills, entitled

A bill to amend chapter 170 of the revised statutes of 1 being chapter 200, of the compiled laws, by adding 4 new tions thereto ;

A bill to amend an act entitled an act relative to state pri approved February 12, 1857, being sections 6231, 6232 6233, of the compiled laws ;

A bill to amend an act entitled an act relative to conv

sentenced to solitary imprisonment in the State Prison, approved April 2, 1849, being section 6250 of compiled laws;

A bill making appropriation for building wall, shop and L for state prison for the years 1861 and 1862,

Were read twice, by title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred the petition of A. B. Allen and others, asking the legislature to make or perfect a title for a certain school house site, in school district No. 4, in the township of Rush, in the county of Shiawassee,

Have had the same under consideration, and would respectfully report that it is the opinion of the committee that the only way or means for said district to procure a title to said school house site is by application to the Commissioner of the State Land Office, and receive a title from said Commissioner. Therefore the committee report adversely to the prayer of the petitioners, and ask to be discharged from the further consideration of the subject.

EZRA HAZEN, *Chairman.*

The report was accepted, the committee discharged, and the petition laid on the table.

By the committee on towns and counties:

The committee on division of towns and counties, to whom was referred petitions of A. J. Martindale and others, also

A bill to attach fractional township 17 north, range 9 east, to the township of Caseville, in Huron county,

Report that by some oversight this fractional territory was left out in organizing the above township, and there is now no way of taxing the same unless it is attached to the adjoining township, therefore recommend that the bill do pass, and ask to be discharged from further action thereon.

CHARLES V. DELAND, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee :

The committee on division of towns and counties, to whom was referred House bill, being

A bill attaching certain territory to the township of Genesee, in Tuscola county,

Report that they have had the same under consideration, and respectfully recommend that the bill do pass, and ask to be discharged from further action thereon.

CHARLES V. DeLAND, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee :

The committee on the division of towns and counties to whom was referred petition of Henry Smith, N. J. Daniels and 38 others for changing the boundaries of certain counties, also remonstrances of S. H. Pennington, Wm. Comstock and others against such change, report that after a careful examination of the proposition as submitted and argued before the committee, we have come to the unanimous opinion that no necessity exists for such changes, and on the contrary confusion, conflict of interests, large items of public expense and much ill feeling, will result from such a wholesale attempt at re-arranging the boundaries of old organized counties. We therefore report against any further action thereon, and ask to be discharged from the further consideration of the petitions.

CHARLES V. DeLAND, *Chairman.*

The report was accepted, the committee discharged, and the petitions and remonstrances laid on the table.

By the committee on incorporations:

The committee on incorporations, to whom was referred House bill, entitled

A bill to amend an act to amend certain sections of an act to incorporate the city of Flint, approved February 13, 1855, approved February 2, 1857,

Have had the same under consideration, and respectfully re-

port the same back to the Senate without amendment, and recommend its passage. They ask to be discharged from the further consideration of the subject.

JOS. R. WILLIAMS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee:

The committee on incorporations, to whom was referred

A bill to provide for the superintendence and care of the Bay City and Tuscola county Plank Road,

Have had the same under consideration, and respectfully report the same back to the Senate without amendment. They recommend its passage, and ask to be discharged from the further consideration of the subject.

JOS. R. WILLIAMS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the judiciary committee:

The committee on the judiciary, to whom was referred

A bill to prescribe the duties of the circuit judges of this State in charging juries,

Report that they have had the same under consideration, and herewith submit a substitute therefor, and recommend that the bill herewith reported do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the substitute adopted, ordered printed, referred to the committee of the whole, and placed on the general order.

#### MESSAGES FROM THE OTHER HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, February 12, 1861. }

To the President of the Senate:

Sir:—I am instructed to return to the Senate the following bill, entitled

A bill to amend act No. 246, of the laws of 1859, entitled an act to regulate fire, marine, life and health insurance companies, and their agents, associations, partnerships, and individuals doing fire, marine, life, and health insurance business, not incorporated by the State of Michigan, approved February 15, 1859,

Which the House has amended by adding at the end of section 1, the following: "*Provided*, that for the present year, the said statement may be filled at any time within three months after this act shall take effect ;"

Also, section 2, so as to read as follows: "Sec. 2, that a new section be added to the act hereby amended to stand as section 9, which shall read as follows :

"Section 9. It shall be the duty of any and all companies doing business within this State, under the provisions of this act, as a condition precedent to the renewal of an annual certificate by the Secretary of State, to make and file in the office of the State Treasurer annually in the month of February of each year, on oath or affirmation, a statement of the number of policies issued and the amount of premiums received or secured thereon during the year then terminated, and shall pay into the hands of the State Treasurer a specific tax of one per cent. on the gross amount of all premiums received in money or securities during the said year, which said specific tax may be recovered in any court at the suit of this State, and shall be and hereby is appropriated to the same uses and purposes as the specific taxes on railroad corporations are or hereafter may be, and it shall be the duty of the State Treasurer to give his receipt for all moneys paid into the State Treasury under the provisions of this act ;"

Also, striking out section 10;

In the passage of which as amended the House has concurred by a majority vote of all the members elect, and has ordered

21

11



the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the amendments concurred in, in gross, by yeas and nays, as follows :

YEAS.

Mr. Adair,	Mr. Butterfield,	Mr. Monroe,	
Backus,	Green,	Mulholland,	
Baker,	Hazen,	Near,	
Baldwin,	Ingersoll,	Strickland,	
Coulter,	Jones,	Webb,	
DeLand,	Lacy,	Wilder,	
French,	Lane,	Williams,	
Galloway,	McDermid,	Withey,	24

NAYS.

Mr. Owen,	Mr. Stout,	Mr. Tower,	3
-----------	------------	------------	---

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 12, 1861.* }

*To the President of the Senate :*

SIR:—I am instructed by the House to transmit the following bill, entitled:

A bill to amend section 5, of chapter 81, of revised statutes of 1846, relative to bonds of county treasurers in certain cases,

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, the bill read twice, by title, and referred to the committee on state affairs.

The President also announced the following :

HOUSE OF REPRESENTATIVES,  
Lansing, February 12, 1861. }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following concurrent resolution:

*Whereas*, It is announced in a special dispatch from Springfield, Illinois, that the President elect will, on his journey to Washington, visit the capitols of Indiana, Ohio, New York and Pennsylvania, and receive the hospitalities of the Legislatures of those States then in session; therefore

*Resolved*, (by the Senate, the House concurring,) That the President be and is hereby invited to visit the capitol of this State on his said journey, and receive the hospitalities of this Legislature and the people of Michigan.

*Resolved*, That the Governor be requested forthwith to transmit a copy of the foregoing preamble and resolutions to the President elect.

In the passage of which the House has concurred.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table.

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Ingersoll gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled an act to provide for the incorporation of railroad companies.

Mr. Ingersoll gave notice that on some future day he would ask leave to introduce

A bill to amend the charter of the city of East Saginaw.

Mr. DeLand gave notice that on some future day he may ask leave to introduce

A bill providing to relieve from taxation all property of coal companies and to provide a bounty of not less than ten cents per ton for all coal raised within the State, to be paid out of the State Treasury.

.. Mr. Backus gave notice that at some future day, he would ask leave to introduce

A bill to amend section 3483 of the compiled laws as to notices of lis pendens in chancery.

Mr. DeLand, pursuant to notice, introduced

A bill to authorize the Auditor General to cancel the sale of lands for ditch or drain tax in Jackson county, and to authorize the board of supervisors to revise the assessments and to re-assess the same ;

Which was read twice, by title, and referred to the committee on the judiciary.

Mr. Backus, by unanimous consent, introduced

A bill to amend paragraph 19, of section 3, of chapter 1, of the revised code of 1846, being the 19th paragraph of section 2, of chapter 1, compiled laws, entitled "of statutes defining general elections ;"

Which was read twice by title, and referred to the committee on the judiciary.

Mr. Hazen gave notice that on some future day he would ask leave to introduce

A bill making appropriations of swamp lands to aid in building a road from Copac East to intersect the Port Huron and Brockway plank road, in the county of St. Clair.

Mr. Coulter offered the following :

*Resolved*, That the State Treasurer be, and he is hereby requested to inform this Senate of the amount of specific State tax paid by the mining companies in the Upper Peninsula from 1849 to 1860, designating by name each company, and the amount paid annually ;

Which was adopted.

Mr. Williams moved to reconsider the vote by which the Senate concurred in the amendments made by the House to Senate bill No. 25 ;

Which motion did not prevail.

Mr. Wilder, pursuant to notice, introduced

A bill authorizing the commissioners of the Port Hope and

Saginaw Bay State road to change its location, and making a grant of swamp lands for improving it;

Which were read twice, by title, and referred to the committee on public lands.

Mr. Withey gave notice that on some future day he would ask leave to introduce

A bill to amend section 1 of act No. 117, laws of 1859, in reference to the Allegan, Muskegon & Traverse Bay State road.

Mr. Briggs, from the committee on engrossment and enrollment, by unanimous consent, submitted the following report:

By the committee on enrollment:

The committee on enrollment, to whom was referred

Joint resolution authorizing the State Treasurer to provide for the interest due upon the bonds of the State, in July and January next, and to pay the interest thereon, and upon the floating debt of the State;

Also,

Joint resolution to provide for the printing and distribution of the report of the State Geologist;

Also,

A bill to amend an act entitled an act to provide for the incorporation of railroad companies, approved Feb. 12, 1855;

Also,

A bill to change the name of Nellie Francis Augur to Nellie Francis Hull;

Also,

A bill to change the name of Cynthia Massey to Tinnie Young;

Also,

A bill to change the name of William Franklin Kelley;

Also,

A bill to change the name of Alonzo M. Baldwin;

Also,

A bill to authorize the trustees of the Central Methodist Episcopal Church of Lansing to borrow money, and secure the payment thereof by mortgage on lot No. 6, in block No. 96, in the city of Lansing;

Also,

A bill to amend an act entitled an act disposing of certain grants of land made to the State of Michigan, for railroad purposes, by act of Congress, approved June 3d, 1856, approved Feb. 14, 1857;

Beg leave to report that they have had the same under consideration, and would respectfully report them back to the Senate correctly enrolled, and ask to be discharged from the further consideration thereof.

H. C. BRIGGS, *Chairman.*

The report was accepted, and the bills and joint resolutions were signed and presented to the Governor.

Mr. DeLand gave notice that on some future day he would ask leave to introduce

A bill relative to brokers and exchange dealers;

Also,

A bill relating to interest and usury.

Mr. Coulter gave notice that on some future day he would ask leave to introduce

A bill making a grant of swamp lands to promote the early completion of railroads in the Upper Peninsula.

Mr. French, leave being granted, introduced

A bill to amend section 1661 of the compiled laws;

Which was read twice by title, and referred to the committee on judiciary.

Mr. Wildor, unanimous consent being given, introduced

A bill to amend an act entitled an act for the benefit of fractional school district No. 1, of Vassar, and No. 2, of Tuscola;

Which was read twice, by title, and referred to the committee on public instruction.

Mr. Withey, unanimous consent being given, introduced

A bill to amend section one of an act relative to the admission of attorneys, solicitors and counsellors, approved March 31, 1849.

Which was read twice, by title, and referred to the committee on the judiciary.

Mr. Jones offered the following :

*Resolved*, That the Auditor General be requested to report to the Senate as soon as practicable, how much of the internal improvement land, granted to this State by Congress for purposes of internal improvement, had been appropriated for the specific objects designated in the grant, and how much for all other purposes, up to the 16th day of February, 1857, and what appropriations, if any, have since been made, and the purposes for which all such grants or appropriations have been made.

Which was adopted.

On motion of Mr. French,

Senate bill No. 18, being

A bill to amend section 364, of chapter 10, of the compiled laws,

Was taken from the table, and order to a third reading.

#### THIRD READING.

Senate bill No. 43, being

A bill to authorize and empower judges of probate to license executors, administrators and guardians to mortgage or otherwise pledge estate for the settlement of debts against the same,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

#### YEAS.

Mr. Adair,  
Backus,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,  
Coulter,  
DeLand,

Mr. French,  
Galloway,  
Green,  
Hazen,  
Ingersoll,  
Jones,  
Lacy,  
Lane,  
McDermid,  
Monroe,

Mr. Mulholland,  
Near,  
Owen,  
Stout,  
Strickland,  
Tower,  
Webb,  
Wilder,  
Withey,

29

#### NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all of said Senators.

Senate bill No. 45, being

A bill to establish the 'Detroit House of Correction and authorize the confinement of convicted persons therein,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. French,	Mr. Mulholland,
Backus,	Green,	Near,
Baker,	Hazen,	Owen,
Baldwin,	Ingersoll,	Stout,
Briggs,	Jones,	Strickland,
Brown,	Lacy,	Tower,
Butterfield,	Lane,	Webb,
Carpenter,	McDermid,	Wilder,
Coulter,	Monroe,	Witley,
DeLand,		28

## NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

Senate bill No. 44, being

A bill to amend an act entitled an act to authorize proceedings against garnishees, and for other purposes, approved March 28, 1849, being chapter 141 of the compiled laws,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. French,	Mr. Monroe,
Backus,	Galloway,	Mulholland,
Baldwin,	Green,	Near,
Briggs,	Hazen,	Owen,
Brown,	Ingersoll,	Strickland,
Butterfield,	Jones,	Tower,
Carpenter,	Lacy,	Webb,
Coulter,	Lane,	Wilder,
DeLand,	McDermid,	Witley,
		27

## NAYS.

Mr. Baker,

1

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all of said Senators.

Mr. Baker, unanimous consent being given, moved to reconsider the vote by which the last named bill was passed ;

Which motion did not prevail.

Senate bill, entitled

A bill making appropriation for paying the indebtedness incurred by repairing damages done by fire at the reform school;

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

YEAS.

Mr. Adair,	Mr. Galloway,	Mr. Near,
Backus,	Green,	Owen,
Baldwin,	Hazen,	Stout,
Briggs,	Ingersoll,	Strickland,
Brown,	Jones,	Tower,
Butterfield,	Lacy,	Webb,
Carpenter,	Lane,	Wilder,
Coulter,	McDermid,	Williams,
DeLand,	Monroe,	Withey,
French,	Mulholland,	29

NAYS.

Mr. Baker, 1

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all of said Senators.

Senate bill, entitled

A bill to attach fractional township 17 north, of range 9 east, to the township of Caseville, in Huron county,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

YEAS.

Mr. Adair,	Mr. French,	Mr. Mulholland,
Backus,	Galloway,	Near,
Baker,	Green,	Owen,
Baldwin,	Hazen,	Stout,
Briggs,	Ingersoll,	Strickland,
Brown,	Jones,	Tower,
Butterfield,	Lacy,	Webb,
Carpenter,	Lane,	Wilder,
Coulter,	McDermid,	Williams,
DeLand,	Monroe,	Withey,
		30

NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect, by a vote of two-thirds of all of said Senators.

House bill, entitled



A bill attaching certain territory to the township of Geneva, in Tuscola county ;

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. French,	Mr. Near,
Backus,	Galloway,	Owen,
Baker,	Green,	Stout,
Baldwin,	Ingersoll,	Strickland,
Briggs,	Jones,	Tower,
Brown,	Lacy,	Webb,
Butterfield,	Lane,	Wilder,
Carpenter,	McDermid,	Williams,
Coulter,	Monroe,	Withey,
DeLand,	Mulholland,	29

## NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect, by a vote of two-thirds of all of said Senators.

House bill, entitled

A bill to amend an act to amend certain sections of an act to incorporate the city of Flint, approved February 13, 1855, approved February 2, 1857 ;

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. French,	Mr. Near,
Backus,	Green,	Owen,
Baldwin,	Ingersoll,	Strickland,
Briggs,	Jones,	Tower,
Brown,	Lacy,	Webb,
Butterfield,	Lane,	Wilder,
Carpenter,	McDermid,	Williams,
Coulter,	Monroe,	Withey,
DeLand,	Mulholland,	26

## NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by the vote of two-thirds of all of said Senators,

Senate bill, entitled

A bill to provide for the superintendence and care of the Bay City and Tuscola county plank road.

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Mulholland,
Backus,	French,	Near,
Baker,	Galloway,	Owen,
Baldwin,	Green,	Tower,
Briggs,	Ingersoll,	Webb,
Brown,	Lacy,	Wilder,
Butterfield,	McDermid,	Williams,
Carpenter,	Monroe,	Withey,
Coulter,		

25

## NAYS.

Mr. Lane,

1

The title was agreed to, and the bill ordered to take immediate effect, by a two thirds vote of all said Senators.

Senate bill No. 18, being

A bill to amend section 364, of chapter 10, of the compiled laws,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Monroe,
Backus,	French,	Near,
Baldwin,	Galloway,	Strickland,
Briggs,	Green,	Webb,
Brown,	Ingersoll,	Wilder,
Butterfield,	Lacy,	Withey,
Coulter,		

19

## NAYS.

Mr. Baker,	Mr. McDermid,	Mr. Stout,
Carpenter,	Mulholland,	Tower,
Jones,	Owen,	Williams,
Lare,		

10

On motion of Mr. DeLand,

The title was amended by adding thereto the words, "relative to the compensation of supervisors;" and, thus amended, agreed to.

On motion of Mr. Wilder,

The Senate took a recess until 2 o'clock P. M.

## AFTERNOON SESSION.

The Senate was called to order at 2 o'clock.

Roll called: a quorum present.

Mr. DeLand moved that the Senate go into committee of the whole, on the special order.

Mr. Strickland moved to amend by striking out "special" and inserting "general,"

Which motion prevailed, and the motion, as amended, was carried.

## GENERAL ORDER.

The Senate went into committee of the whole on the general order,

Mr. Carpenter in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report:

The committee of the whole have had under consideration House bill, No. 31, entitled

A bill to provide for the incorporation of associations for the publication of books, tracts, documents and other matters of a religious, historical, literary or educational character;

And report the same back to the Senate, without amendment, and without recommendation.

The committee have also had under consideration Senate bill, No. 49, entitled

A bill to regulate proceedings in cases of recoupment.

Also, Senate bill, No. 46, being

A bill to amend an act entitled an act to revise the charter of the city of Detroit, approved February 5, 1857;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend their passage.

J. CARPENTER, *Chairman*.

The report was accepted, the committee discharged, the amendment concurred in, and

On motion of Mr. Ingersoll,

The first named bill was laid on the table, and the two last named bills ordered to a third reading.

On motion of Mr. Baldwin,

The Senate adjourned.

*Lansing, Wednesday, February 13, 1861.*

The Senate was called to order at 10 o'clock A. M.

Prayer by Rev. Mr. Potter.

Roll called : a quorum present.

#### PETITIONS PRESENTED.

By Mr. Galloway : petition of S. F. Hubbell, Wm. A. Clark and 45 others, residents of Livingston county, in relation to the organization and government of the University ;

Referred to the committee on public instruction.

By Mr. Stout : memorial of school inspectors of Pontiac, and trustees of union school district No. 2, of Pontiac, asking enlargement of said school district ;

Referred to the committee on public instruction.

By Mr. Williams : petition of H. S. Tyler, Hiram Betts and 23 others, citizens of St. Joseph county, praying for such alteration of the highway law, as to prevent laying out roads too near and parallel to each other ;

Referred to the committee on roads and bridges.

By Mr. Strickland : petition of Hon. James Kipp, Henry Walbridge and 54 others, asking for an amendment of the Constitution, relative to the elective franchise ;

Referred to the committee on privileges and elections.

#### REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary :

The committee on the judiciary, to whom was referred

A bill to amend section 1 of an act relative to the admission of attorneys, solicitors and counsellors, approved March 31st, 1849,

Have had the same under consideration and would report

fully report the same back to the Senate and recommend that it do pass

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted; the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the same committee :

The committee on the judiciary, to whom was referred

A bill to amend paragraph nineteen, of section three, of chapter one, of the revised code of 1846, being the nineteenth paragraph of section two, of chapter one, compiled laws, entitled, of statutes defining general elections,

Have had the same under consideration, and would respectfully report the same back to the Senate, and recommend that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee :

The committee on the judiciary, to whom was referred Senate bill No. 58, being

A bill to authorize the Detroit and Milwaukee railroad company to issue stock in place of the original stock of the Detroit and Milwaukee railway company,

Have had the same under consideration, and would respectfully report the same back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend chapter 194, of the compiled laws relative to the arrest and examination of offenders, commitment for trial and taking bail,

Have had the same under consideration, and would respectfully report the same back to the Senate and recommend that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on State affairs:

The committee on State affairs, to whom was referred the petition of S. V. B. Mapes and 250 others ; also, petition of Rev. Asa Mahan and 251 others ; also, petition of James Sword and 75 others ; also, petition of J. L. Hitckcock and 33 others, citizens of this State, asking a repeal of the amendatory liquor law of 1857, and a modification of act No. 201, of session laws of 1859,

Report that they have had the several subjects under consideration at a previous time, and reported adversely to the repeal of the act of 1857, but submitted a bill in accordance with the prayer of the petitioners, amending act No. 201, of the session laws of 1859.

B. G. STOUT, *Chairman.*

The report was accepted, the committee discharged, and the several petitions laid on the table.

By the committee on insane asylum :

The committee on insane asylum have had the same, and the matters connected therewith, under consideration, and respectfully report :

That by the direction of the Senate, they have visited the asylum at Kalamazoo, in company with a like committee of the House of Representatives. Your committee were forcibly impressed with the excellency of the plan, in the con-

struction and management of the buildings, and in their adaptation to the purposes for which they were designed, combining the greatest utility with the least possible cost ; and also in the general management and government of the institution—exhibiting order, economy, and the highest regard for the welfare of the patients—all giving to your committee indubitable evidence that in the selection of superintendent and officers the State has been very fortunate. The right men are doubtless in the right place.

To complete the north wing of the asylum, 'will require the sum of \$90,000 ; this will afford accommodations for three hundred patients.

The question now before your committee is, shall this sum be appropriated ?

In arriving at an answer to this question, your committee had their attention directed to the following considerations, viz : That in accordance with constitutional requirements, and with a liberality worthy of an enlightened and christian people, the State has undertaken to furnish her citizens with several institutions which may properly be called humanitarian. Conspicuous among these is the asylum for the insane.

In its organization, the State undertakes to furnish an institution properly officered, where the hopelessly insane may find an asylum—where the curable may find an hospital—and where those who are dangerous to themselves or others, may be properly and humanely secured from doing mischief.

Of all the calamities that befall man, the loss of reason is most to be deplored. Although some lunatics are generally harmless, there are periods when almost all such persons are more or less dangerous.

Under the influence of delusion, they may destroy property, destroy themselves, or kill other persons.

At such periods there is no safety but in confining them. The safety of the community, as well as the safety of their immediate friends and families, often more imperatively requires

their confinement, than it demands the confinement of persons, who have been guilty of the highest crimes against property.

They cannot be adequately provided for, secured from doing harm, and the curable cases restored to soundness in a county jail or a county poor-house; and hence the necessity of building and maintaining asylums for the insane by the government, is as strong and pressing as it is to build penitentiaries or State prisons. They are both institutions of modern origin, suggested and introduced by the science and civilization of the last century, and only brought to their present perfection about the middle of the present.

Insane asylums fulfill a three-fold purpose: First, they are hospitals for the cure of insanity, as a physical disease; Secondly, they are prisons to confine maniacs and persons under the influence of delusions, whose personal liberty would be dangerous to the community as well as to their friends; Thirdly, they are asylums or homes for demented persons and harmless lunatics, where they can be made more comfortable and taken care of more cheaply than they can in private families.

The conclusions of modern science are, that all the varied forms of insanity, from retiring melancholy, to the condition of a raving maniac, are but the results of so many forms of physical disease, and hence should always be treated as such. It is indeed quite as reasonable to consign to fetters and a foul cell your child, whose mind wanders in the delirium of fever, as it is to commit the frantic maniac to the tender mercies of a jailor, or the untaught care of a poor-house keeper.

Since the first of December last there have been more than twenty applications for admission to the asylum, thirteen of whom were refused for want of room.

The sympathies of your committee were deeply stirred on learning from the superintendent how many of those thirteen were, from imperative necessity, consigned to the cells of county jails; the almost inevitable consequence of which is to crush out the last remains of reason, and doom them to hopeless insanity or utter idiocy.



On the other hand, the experience of the last fifty years shows that a large part of these might have been restored to health and usefulness if placed in an asylum under the care of experienced attendants, and a physician skilled in such diseases. Humanity demands the speedy completion of the asylum. True economy not less earnestly urges it.

There is paid annually by the counties of this State, for the support of insane persons in jails and poor-houses, from thirty to fifty thousand dollars. This sum is largely increased by the cost of pauperism occasioned by insanity, which stands only third in the list of its causes.

That the early completion of the asylum would be good economy, further appears from the fact that a larger number of patients could be taken care of without a corresponding increase of expense. From carefully prepared estimates it appears that three times the present number of patients could be taken care of without doubling the expense, or in other words, if the present number of patients were multiplied by three, the current expenses of the asylum would be increased by little more than one-fourth.

The current expenses of those patients who have the means being paid by themselves, while the expenses of the poor are paid by the counties from which they are sent, the asylum becomes, when completed, nearly or quite a self sustaining institution.

It is not so with the other institutions of the State. The asylum for the deaf, dumb and blind is not a hospital where its inmates are expected to be cured, nor is it a place for confinement of dangerous persons, nor yet a home for the utterly helpless; but it is simply an institution of learning, where a very limited education is afforded to those who enjoy its benefits; and yet the whole expenses of their board and attendance, as well as their tuition, is paid out of the State Treasury.

Again: the deaf and the blind enlist our sympathies by a direct process—by immediate observation.

Their unfortunate condition is obvious to the senses, and the

mere sight of them excites the sympathy of every person having the common feelings of humanity. It is not so with the insane.

They are eccentric, excitable, boisterous and turbulent, or they are sullen, obstinate and difficult to manage and control—objects rather of disgust than pity.

Hence insanity excites our sympathy only indirectly, and by long process of reasoning, and not directly by observation. Hence it is the greater charity of the two.

Your committee disclaim any intention to make invidious comparisons. It would afford them the sincerest pleasure, did an overflowing treasury allow of ample provision for all the claims of humanity.

But unfortunately, such is not the case. We submit that it is fitting and proper that we should institute a comparison of their respective claims.

Believing that the insane have claims that ought not to be neglected, and that it is the common sentiment of all who are acquainted with their unhappy and miserable condition that the asylum should be completed at the earliest possible period, your committee would recommend that the sum of \$45,000 be appropriated for that purpose for the year 1861, and a like sum for the year 1862.

All of which is respectfully submitted.

N. WEBB, *Chairman*.

The report was accepted, the committee discharged, and the bill, entitled

A bill making appropriations for finishing the Michigan Asylum for the Insane,

Was read twice, by title, referred to the committee of the whole, and made a part of the special order for this afternoon at two o'clock.

By the committee on public lands :

The committee on public lands, to whom was referred so much of the Governors' messages as relates to the public lands, respectfully make the following report :

The committee are of the opinion that the policy heretofore

inaugurated to reclaim the swamp lands by means of roads and ditches, is the correct policy ; but that the present law should be so amended as to lessen the expenses, and still be more efficient. By reference to the annexed statement, it will be readily seen that the per diem and expenses of the commissioners, and the expense of surveys, have been very great. Your committee are of the opinion, that one commissioner appointed in each county where any road is to be built, to have charge of the road in the county, to be a resident of said county, and to receive two dollars per day for the time actually and necessarily employed, and to be paid by the county in which said road is located, would be a much better policy, and a great saving of expense.

The committee are of the opinion that the appropriation of the lands, rather than agreeing to pay money hereafter to accrue from sales, is far the best policy ; in which case the State will at no time be in debt for building said roads, without the means to cancel the same.

The committee are also of the opinion, that lands only located in the county where said roads are located, should be appropriated for the building of the same.

The committee are of the opinion, that building and extending said roads far into the uninhabited wilderness, is not advisable ; that the surveying and building roads in a dense wilderness is attended with great expense, and in many instances will not be required, and cannot be used for a long time ; that it would, in our opinion, be a better policy to make appropriations to aid the new settlers in building roads, and ditching and draining the said lands, which would greatly aid in developing the resources of the newly settled country. The amount of swamp lands in the State unsold, unappropriated and unlicensed, is very large, amounting to 5,460,871 acres ; and the committee recommend liberal appropriations of lands, for the building of roads and ditches in the counties where such lands are located, as the best means of bringing said lands into

market, and settling and developing the resources of the country.

Your committee are of the opinion that the homestead bill, granting forty acres of land to actual settlers, has been universally approved by the people ; and they recommend that the law be so amended as will allow the settler to take eighty acres instead of forty. The grant of eighty acres would induce a greater number, and a more energetic class of persons, to settle upon and reclaim such lands, especially if such persons were allowed to purchase an additional eighty acres, under the provisions of the act for their sale, by payment of one quarter down ; and we recommend such alterations in said law.

The committee, in compliance with a resolution of the Senate, requiring them to report to the Senate what amounts of moneys and of swamp lands have been applied to the construction of swamp land roads, under the act of 1859 ; and what sums have been expended in laying out the same ; what has been paid to commissioners, and what claims are yet unallowed, have been presented by such commissioners ; and what is the state and progress of the several roads ; by reference to the annexed tables and statements, all the required information will be found.

All of which is respectfully submitted.

EZRA HAZEN, *Chairman.*

*Statement of Swamp Land Road Accounts.*

TITLE OF ROAD, &c.	Amount of Appropriations.	Am't paid.	Balance.
Jonia, Houghton Lake and Mackinac State Road,.....	\$7,870 72	\$5,622 04	\$2,248 68
Newaygo and Northport State Road,.....	13,118 82	3,118 69	10,000 13
Port Huron, Bay City and Lansing State Road,.....	19,415 11	15,697 66	3,717 45
East Saginaw and Sauble State Road,.....	5,246 67	2,488 09	2,758 58
Lexington and Flint River State Road,.....	3,204 63	2,230 31	974 32
St. Mary's River and Mackinac State Road, *.....	1,430 00	2,743 27	1,313 27
Ontonagon and State Line State Road,.....	4,290 00	1,321 69	2,968 31
L'Anse Bay and State Line State Road,.....	3,575 00	2,556 84	1,018 16
Marquette and Bay De Noc State Road,.....	5,005 00	2,731 58	2,273 42
Allegan, Muskegon and Traverse Bay State Road,...	8,344 16	4,851 98	3,492 17
State Ditches, .....	3,500 00	1,280 25	2,219 75
	\$75,000 16	\$44,492 39	\$31,507 77
*Amount overdrawn,.....			1,313 27
			<u>\$29,007 71</u>

*Statement of Expenditures upon Swamp Land State Roads and Ditches, under Act No. 117, 1859, to date, January 31, 1861.*

TITLE OF ROAD OR DITCHES.	Paid Commissioners.		Expenses of Survey Paid.	Contracts Paid.	
	Per Diem.	Expenses.		Cash.	Land.
Ionia, Houghton Lake and Macinac, ..	\$ 913 50	\$ 110 70	\$1,192 84	\$3,405 00	.....
Mewaygo and Northport, .....	315 00	41 87	831 82	1,980 00	.....
Port Huron, Bay City and Lansing, ..	1,678 00	110 70	1,367 80	12,340 33	3,620 81
East Saginaw and Sauble, .....	1,325 50	197 91	913 08	.....	9,950 00
Lexington and Flint River, .....	1,167 00	.....	313 31	750 00	6,638 40
St. Mary's River and Mackinac, .....	1,237 00	63 50	1,442 77	.....	.....
Ontonagon and State Line, .....	222 00	93 45	1,000 24	.....	.....
Marquette and Bay de Noc, .....	969 00	124 87	1,637 71	.....	.....
L'Anse Bay and State Line, .....	1,244 00	269 53	576 87	488 74	.....
Allegan, Muskegon & Traverse Bay, ..	1,433 00	160 95	1,758 03	1,580 00	.....
Ditch in T. 13 N., R. 6 E., .....	33 00	.....	14 00	800 00	800 00
Elk Creek Ditch, (Sanilac Co.), .....	165 00	26 25	77 50	.....	.....
Black River Ditch, (Sanilac Co.), .....	45 00	35 00	84 50	.....	.....
	\$10,648 00	\$1,240 73	\$11,208 77	\$21,194 07	21,008 21

*List of Bills on file in Secretary of State's hands against Swamp Land Roads unallowed.*

S. O. Kingsbury, Northport Road, .....	\$302 00
A. P. Brewer, East Saginaw, .....	39 00
B. McCrary, Port Huron, .....	276 00
C. Waterbury, Lexington and Flint, .....	28 50
C. O. Thompson, Ionia, Houghton, .....	41 00
S. A. Yeoman, Ionia, Houghton, .....	21 25
D. C. Henderson, Allegan and Traverse, .....	156 00
N. Edmonds, Port Huron, .....	357 00
G. H. Carlton, St. Mary's and Mackinac, .....	316 00
J. Andrews, Allegan and Traverse, .....	126 00
W. S. Atwood, " " .....	50 00
A. B. Watson, Northport, .....	252 57
	<u>\$1,965 32</u>

The report was accepted and the committee discharged.

By the committee on towns and counties :

The committee on division of towns and counties, to whom was referred the petition of L. Hubbard and 64 others ;

Also,

A bill to change the name of the village of Willow Creek, in the county of Huron, to Huron city,

Report that having given the same full consideration, see no

objection to granting the passage of the petition, recommend the bill do pass, and ask to be discharged from the further consideration of the subject.

C. V. DeLAND, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on enrolled bills :

The committee on enrolled bills to whom was referred for engrossment

A bill to provide for the payment of the indebtedness of the State;

Also,

A bill to provide the means for the redemption of the bonds of the State maturing January 1st, A. D. 1863,

Would respectfully report that they have had the same under consideration, and return them to the Senate correctly engrossed, and ask to be discharged from the further consideration of the subject.

H. C. BRIGGS, *Chairman*.

The report was accepted, committee discharged, and the bills ordered to a third reading.

By the committee on public instruction :

The committee on public instruction, to whom was referred

A bill to exempt from taxation the lands belonging to incorporated colleges and academies,

Report that they have had the same under consideration, and report said bill back to the Senate without recommendation.

S. L. WITHEY, *Chairman*.

The report was accepted, the committee discharged, and the bill laid on the table.

By the same committee :

The committee on public instruction, to whom was referred

A bill to amend an act entitled an act to establish graded and high schools, approved February 14, 1859, being act No. 161, session laws of 1859,

Report that they have had said bill under consideration, and return the same to the Senate with the recommendation that it do pass.

S. L. WITHEY, *Chairman.*

The report was accepted, the committee discharged, and the bill referred to the committee of the whole, and placed on the general order.

COMMUNICATIONS FROM STATE OFFICERS.

The President announced the following :

STATE TREASURER'S OFFICE, }  
*Lansing, February 13, 1861.* }

HON. A. B. TURNER, *Secretary of Senate:*

DEAR SIR,—I have received your note of this date enclosing a resolution of the Senate in regard to amount of specific taxes paid by mining companies.

I shall not be able to give the desired information, as no accounts are kept in this office with the mining or other corporations.

The Auditor General's office can supply the desired information.

Respectfully,

JAMES TURNER,  
*Deputy State Treasurer.*

The communication was laid on the table.

MESSAGES FROM THE OTHER HOUSE.

The President announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 12, 1861.* }

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following bill, entitled

A bill to amend an act entitled "an act to incorporate the city of Battle Creek," approved February 3, 1859;

Also,

A bill to amend an act entitled an act to organize the county

of Mecosta, and to locate the county seat thereof, approved February 11, 1859 ;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, the bills read twice, by title, the first named referred to the committee on incorporations, and the last named to the committee on towns and counties.

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Stout, unanimous consent being given, introduced

A bill to enlarge union school district No. 2, in Pontiac, Oakland county;

Which was read twice, by title, and referred to the committee on public instruction.

On motion of Mr. Near,

Senate bill No. 4, entitled

A bill to divide the State into six congressional districts;

Also, Senate bill No. 61, entitled

A bill for the apportionment of Senators in the State legislature,

Were made the special order for Friday next, at two o'clock P. M.

Mr. Withey introduced the following:

*Whereas*, The highest interests of the State require amendments of the constitution in many of its provisions, in the opinion of this legislature, and should be accomplished at the earliest day practicable; therefore

*Resolved*, by the Senate, (the House concurring.) That a committee of three from each branch of the legislature be appointed to act as a joint committee, to take into consideration and report what amendments of the constitution of this State are re-



quired to promote the best interest of the people of the State, and that said committee be authorized to report by joint resolution such amendments as in their opinion should be submitted to the people;

Which preamble and resolution were adopted.

The President appointed as such committee Senators Withey, Backus and Stout.

Mr. Tower gave notice that on some future day he would ask leave to introduce

A bill making an appropriation of swamp lands on a road from Ionia to Bellevue, in the county of Eaton;

Also,

A bill making an appropriation of swamp lands on a road from Pewamo, in the county of Ionia, to the center of Isabella county.

Mr. Hazen, pursuant to notice, introduced

A bill appropriating certain swamp lands for opening and improving a road from Cassac, in the county of St. Clair, to intersect with the Brockway and Port Huron plank road;

Which was read twice, by title, and referred to the committee on public lands.

Mr. Withey, leave being granted, introduced

A bill to repeal section 2, of act No. 106, of the session laws of 1840,

Which was read twice, by title, and referred to the committee on public instruction.

Mr. Withey, pursuant to notice, introduced

A bill to amend section one of an act entitled an act to provide for the draining and reclamation of swamp lands by means of State roads and ditches, being act No. 117, of the session laws of 1859,

Which was read twice, by title, and referred to the committee on public lands.

Mr. Backus, leave being granted, introduced

A bill to amend section 3483, chapter 113, compiled laws, regulating the recording and authentication of notice of lispendens,

Which was read twice, by title, and referred to the committee on the judiciary.

Mr. Carpenter gave notice that on some future day he would ask leave to introduce

A bill to appropriate swamp lands to building a road through the cotton wood swamp, from Blissfield village, in Lenawee county, to Ottawa Lake, in Monroe county, Michigan.

Mr. Tower moved to transfer the bill and petitions in relation to the road from Greenville to Big Rapids, from the committee on roads and bridges, to the committee on public lands;

Which motion prevailed.

Mr. Ingersoll, pursuant to notice, introduced

A bill to amend an act to provide for the incorporation of railroad companies, approved February 12, 1855,

Which was read twice, by title, and referred to the committee on incorporations.

#### THIRD READING.

Senate bill No. 58, being

A bill to authorize the Detroit & Milwaukee Railroad Company to issue stock in place of the original stock of the Detroit & Milwaukee Railway Company,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Adair,  
Backus,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,  
Coulter,  
DeLand,

Mr. French,  
Gale,  
Green,  
Ingersoll,  
Jones,  
Lacy,  
Lane,  
McDermid,  
Monroe,

Mr. Mulholland,  
Near,  
Owen,  
Stout,  
Strickland,  
Tower,  
Webb,  
Williams,  
Withey,

23

#### NAYS.

Mr. Galloway,

1

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

## Senate bill, entitled

A bill to amend chapter 194 of the compiled laws, relative to the arrest and examination of offenders, commitment for trial and taking bail,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. French,	Mr. Mulholland,
Backus,	Gale,	Near,
Baker,	Galloway,	Owen,
Baldwin,	Green,	Stout,
Briggs,	Ingersoll,	Strickland,
Brown,	Jones,	Tower,
Butterfield,	Lacy,	Webb,
Carpenter,	Lane,	Williams,
Coulter,	McDermid,	Withey,
DeLand,	Monroe,	

29

## NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect, by a vote of two-thirds of said Senators.

## Senate bill, No. 46, being

A bill to amend an act entitled an act to revise the charter of the city of Detroit, approved February 5, 1857,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Monroe,
Backus,	French,	Mulholland,
Baker,	Gale,	Near,
Baldwin,	Galloway,	Owen,
Briggs,	Ingersoll,	Stout,
Brown,	Jones,	Strickland,
Butterfield,	Lacy,	Webb,
Coulter,	McDermid,	Withey,

24

## NAYS.

Mr. Carpenter,	1
----------------	---

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

## Senate bill, entitled

A bill to amend paragraph 19, of section 3, of chapter 1, of

the revised code of 1846, being the nineteenth paragraph of section 2, of chapter 1, of the compiled laws, entitled of statutes defining general elections,

Came up in the order of third reading, and was re-committed to the committee on the judiciary.

Senate bill No. 49, being

A bill to regulate proceedings in case of recoupment,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows :

# YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Monroe,	
Backus,	French,	Mulholland,	
Baker,	Gale,	Near,	
Baldwin,	Galloway,	Owen,	
Briggs,	Green,	Stout,	
Brown,	Ingersoll,	Strickland,	
Butterfield,	Jones,	Tower,	
Carpenter,	Lacy,	Webb,	
Coulter,	McDermid,	Withey,	27

# NAYS

0

The title was agreed to, and the bill ordered to take immediate effect, by a vote of two-thirds of all said Senators.

Senate bill No. 15, being

A bill to provide for the payment of the indebtedness of the State,

Came up for a third reading, when

Mr. Baldwin, with the consent of the Senate, offered Senate bill No. 40, being

A bill to provide the means for the redemption of the bonds of the State, maturing January 1, A. D. 1863,

As a substitute therefor.

Mr. French, with consent, moved to re-insert, in the fourth section, the clause which was stricken out by the committee of the whole.

Mr. Williams moved that both bills be recommitted to the committee on finance, with instructions to strike out all relating to a sinking fund ;

Pending which motion,

The Senate then took a recess till 2 o'clock P. M.

## AFTERNOON SESSION.

The Senate was called to order at 2 o'clock.

Roll called : a quorum present.

Mr. Carpenter moved a call of the Senate;

Which call was ordered, and upon calling the roll, Senators Baldwin, Gale, Green, Ingersoll, Monroe, Strickland, Williams and Withey were reported absent without leave.

The Sergeant-at-arms was despatched for the absentees.

On motion of Mr. Tower,

Further proceedings under the call were dispensed with.

Mr. Jones, with the consent of the Senate, introduced the following :

*Whereas*, There is now before this Senate a large amount of business to be disposed of, and a large amount of important business yet to come before it, and which business cannot be accomplished alone by talking;

*And whereas*, The session has already advanced far into the second month, having now consumed forty-three days;

*And whereas*, The public interests and the public expectation alike demand an adjournment within the next twenty days, therefore

*Resolved*, That hereafter during this session, no member of this body be allowed to speak but once, and not to exceed ten minutes, upon any question, unless by consent of two-thirds of the members present.

Mr. DeLand moved to lay the resolution on the table.

Which motion did not prevail, the following being the vote thereon:

## YEAS.

Mr. Backus,  
Butterfield,

Mr. DeLand,  
Owen,

Mr. Tower,  
Williams,

## NAYS.

Mr. Adair,  
Baker,  
Baldwin,  
Briggs,

Mr. French,  
Galloway,  
Hazen,  
Jones,

Mr. Mulholland,  
Near,  
Stout,  
Webb,

Brown,  
Carpenter,  
Coulter,

Lacy,  
Lane,  
McDermid,

Wilder,  
Withey,

20

Mr. Owen moved to amend by striking out "ten," and inserting "thirty."

Mr. Stout moved to amend the amendment by inserting "fifteen minutes."

Mr. Strickland moved to lay the whole subject on the table;

Which motion did not prevail, the following being the vote thereon:

## YEAS.

Mr. Backus,  
Baldwin,  
Butterfield,  
DeLand,  
French,

Mr. Gale,  
Ingersoll,  
Owen,  
Stout,  
Strickland,

Mr. Tower,  
Wilder,  
Williams,  
Withey,

14

## NAYS.

Mr. Adair,  
Baker,  
Briggs,  
Brown,  
Carpenter,  
Coulter,

Mr. Galloway,  
Green,  
Hazen,  
Foote,  
Lacy,

Mr. Lane,  
McDermid,  
Mulholland,  
Near,  
Webb,

16

Mr. Jones accepted the last proposed amendment.

Mr. Lane moved to strike out the words "but once and not," and insert after the word "question" the words, "at any one time."

Mr. Stout moved to commit the resolution to the committee on claims.

Mr. Gale moved the previous question.

Which motion was not sustained.

The motion to commit did not prevail, the following being the vote thereon:

## YEAS.

Mr. Baker,  
Butterfield,

Mr. Lane,  
Stout,

Mr. Williams,

3

## NAYS.

Mr. Adair,  
Backus,  
Baldwin,

Mr. Gale,  
Galloway,  
Green,

Mr. Mulholland,  
Near,  
Owen,

Briggs,  
Brown,  
Carpenter,  
DeLand,  
French,

Hazen,  
Ingersoll,  
Jones,  
Lacy,  
McDermid,

Strickland,  
Tower,  
Webb,  
Wilder,  
Withey, 24

Mr. DeLand moved to strike out "question," and insert "subject."

Mr. French moved to commit the resolution to the committee of the whole, for consideration, at seven o'clock this evening.

Mr. Strickland moved that the resolution lay on the table,  
Which motion did not prevail.

The motion to strike out "question," and insert "subject," did not prevail.

The motion to strike out the words "but once and not," and insert the word "question," the words "at any one time," prevailed.

Mr. Galloway moved that the Senate adjourn ;

Which motion did not prevail, the following being the vote thereon :

## YEAS.

Mr. French,

Mr. Galloway,

2

## NAYS.

Mr. Adair,  
Backus,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,  
Coulter,

Mr. DeLand,  
Gale,  
Green,  
Hazen,  
Ingersoll,  
Jones,  
Lacy,  
Lane,

Mr. McDermid,  
Near,  
Owen,  
Stout,  
Strickland,  
Wilder,  
Williams,  
Withey,

25

Mr. Ingersoll moved that the whole subject be indefinitely postponed ;

Which motion prevailed, the following being the vote thereon :

## YEAS.

Mr. Backus,  
Briggs,  
Butterfield,

Mr. Ingersoll,  
McDermid,  
Mulholland,

Mr. Stout,  
Strickland,  
Webb,

French,  
Gale,  
Galloway,

Near,  
Owen,

Williams,  
Withey,

16

### NAYS.

Mr. Adair,  
Baker,  
Baldwin,  
Brown,  
Carpenter,

Coulter,  
DeLand,  
Green,  
Hazen,  
Jones,

Lacy,  
Lane,  
Tower,  
Wilder,

14

The pending motion being to recommit the bills under consideration, at the time the Senate took a recess to the committee on finance, with instructions to strike out all relating to a sinking fund, was withdrawn.

The motion to re-insert was also withdrawn.

Mr. Williams, with the consent of the Senate, moved to strike out sections three, four and five, of Senate bill No. 40;

Which motion prevailed, by yeas and nays, as follows:

### YEAS.

Mr. Backus,  
Baker,  
Butterfield,  
Gale,  
Galloway,

Mr. Green,  
Hazen,  
Ingersoll,  
McDermid,  
Near,

Mr. Owen,  
Tower,  
Webb,  
Williams,  
Withey,

15

### NAYS.

Mr. Adair,  
Baldwin,  
Briggs,  
Carpenter,  
Coulter,

Mr. DeLand,  
French,  
Jones,  
Lacy,  
Lane,

Mr. Mulholland,  
Stout,  
Strickland,  
Wilder,

14

The question being on the adoption of Senate bill No. 40, as thus amended, as a substitute for Senate bill No. 15, the same was adopted, by the following vote:

### YEAS.

Mr. Adair,  
Backus,  
Baker,  
Baldwin,  
Brown,  
Butterfield,  
Carpenter,

Mr. Coulter,  
DeLand,  
Gale,  
Galloway,  
Green,  
Hazen,  
McDermid,

Mr. Near,  
Tower,  
Webb,  
Wilder,  
Williams,  
Withey,

20



## NAYS.

Mr. Briggs,	Mr. Lacy,	Mr. Owen,
French,	Lane,	Stout,
Jones,	Mulholland,	Strickland,

Mr. Baldwin, with unanimous consent, moved to amend the bill by adding at the end of section six the following: "*Provided, That no proposals or bids for the purchase of said bonds at less than their par value, shall be accepted.*"

Which motion prevailed.

The bill then was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. Gale,	Mr. Owen,
Backus,	Galloway,	Tower,
Baldwin,	Green,	Webb,
Brown,	Hazen,	Wilder,
Butterfield,	Ingersoll,	Williams,
Coulter,	McDermid,	Withey,
DeLand,	Near,	

## NAYS.

Mr. Briggs,	Mr. Jones,	Mr. Mulholland,
Carpenter,	Lacy,	Stout,
French,	Lane,	Strickland,

On motion of Mr. Baldwin,

The title was amended by striking out the abbreviations "A. D.," and the title, as thus amended, was agreed to.

Mr. Stout moved that the vote by which the bill was passed be reconsidered.

On motion of Mr. DeLand,

The motion to reconsider was laid on the table.

Senate bill, entitled

A bill to change the name of the village of Willow Creek, in the county of Huron, to Huron City,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. French,	Mr. Mulholland,
Backus,	Gale,	Near,
Baker,	Galloway,	Owen,

Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,  
Coulter,  
DeLand,

Green,  
Hazen,  
Ingersoll,  
Jones,  
Lacy,  
Lane,

Stout,  
Strickland,  
Tower,  
Webb,  
Wilder,  
Withey,

28

### NAYS.

9

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

The Senate then adjourned.

*Lansing, Thursday, February 14, 1861.*

The Senate was called to order at 10 o'clock.

Roll called: a quorum present.

### PETITIONS PRESENTED.

By Mr. Baker: petition of N. W. Childs, H. M. Boies, E. M. Hubbard and 24 others, members of the Congregational Church and Society, of Hudson, praying for an enactment authorizing them to dispose of real estate;

Referred to the committee on the judiciary.

Also, petition of L. Frensdorf and 34 others, asking an appropriation of swamp lands and a specific tax for the improvement of the Meridian Line road;

Referred to the committee on public lands.

By Mr. McDermid: petition of W. W. Brewster and 45 others, citizens of Hillsdale county, praying for the assessment of a specific tax for the purpose of building the Meridian Line road through their township;

Referred to the committee on roads and bridges.

By Mr. Ingersoll: petition of Geo. L. Hitchcock, D. Wait, E. D. Gregory and 48 other citizens of Owosso, asking for the passage of a law similar to that under which the State Bank of Ohio is organized;

Referred to the committee on incorporations.

By Mr. McDermid: petition of John P. Cook, Chas. T. Mitch-

all and 40 others, asking for the adjustment of right of way taken by the Michigan Southern railroad;

Referred to the committee on claims.

By Mr. Baldwin: petition of N. H. Toles, D. O. Kelley and 48 others, republicans and democrats, for the repeal or modification of personal liberty laws;

Referred to the committee on federal relations.

Also, petition of G. & C. Merriam, of Springfield, Mass., asking the Legislature to make provision for payment to them for books furnished upon the order of Ira Mayhew, late superintendent of public instruction.

Referred to the committee on public instruction.

By Mr. Monroe: petition of Geo. A. Coe, Charles Upson, L. D. Crippen, Albert Chandler, Jas. B. Crippen, Cyrus G. Luce, A. S. Glessner, D. B. Dennis, Henry C. Gilbert, Artemas Allen and 209 others, for the passage of an act to incorporate the city of Coldwater;

Also, of the president and trustees of the village of Coldwater, for the same;

Also, proceedings of two meetings of the citizens of Coldwater, in favor of the same;

Which were severally referred to the committee on incorporations.

By Mr. Galloway: petition of H. C. House, Nicholas Kirseler and 17 others, residents of Genoa, praying that the title of the township burial ground in the township of Genoa, in the county of Livingston, may be vested in a corporation;

Referred to the committee on incorporations.

Mr. Mulholland presented the proceedings of a meeting of citizens of Monroe, in relation to Dr. Tappan, and the management of the University;

Referred to the committee on public instruction.

#### REPORTS OF STANDING COMMITTEES.

By the judiciary committee:

The committee on the judiciary, to whom was referred

A bill to regulate the execution of deeds, mortgages and other instruments, of record;

Have had the same under consideration, and would respectfully report, that the bill referred to them does not so effectually accomplish the purposes needed, as in the opinion of your committee is desirable, that of dispensing with witnesses in the case of deeds and other instruments effecting real estate.

Your committee, therefore, herewith, together with said bill, report a substitute in the form of an amendment to the existing law on that subject, and recommend that such substitute do pass, and ask to be discharged.

All which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the same committee:

The committee on the judiciary, to whom was referred

A bill to amend section 2483, chapter 112, compiled laws, regulating the recording and authentication of notices of lis pendens,

Have had the same under consideration, and would respectfully report the same back to the Senate, and recommend that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee:

The committee on the judiciary, to whom was referred

A bill to amend paragraph 19, of section 3, of chapter 1, of the revised statutes of 1846, being the 19th paragraph of section 2, of chapter 1, compiled laws, entitled "of statutes defining general elections,"

With special instructions to insert the whole section amended,

Have had the same under consideration, and respectfully report said bill back to the Senate, amended according to said instructions, by inserting the whole of the Section amended, and recommend that it do pass, and ask to be discharged from the further consideration thereof.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, the amendment concurred in, and the bill ordered to a third reading.

By the committee on public lands :

The committee on public lands to whom was referred

A bill appropriating certain swamp lands to aid in building a road from Capac east, to intersect with the Port Huron & Brackway plank road in the county of St. Clair,

Have had the same under consideration, and respectfully report the same back to the Senate, and recommend that it do pass.

EZRA HAZEN, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the same committee :

The committee on public lands, to whom was referred the petition of E. S. Gray and others, asking relief for John S. Farr,

Have had the same under consideration, and respectfully report adverse to the prayer of the petitioners.

EZRA HAZEN, *Chairman.*

The report was accepted, the committee discharged, and the petition laid on the table.

By the same committee :

The committee on public lands, to whom was referred the petition of Philander Tracy and others, of the county of Kent, asking for appropriations of swamp lands, have considered the same, and respectfully report adversely to the prayer of the petitioners.

The report was accepted, the committee discharged, the petition laid on the table.

By the committee on public instruction :

The committee on public instruction, to whom was referred House bill No. 19, being

A bill to amend an act entitled an act to establish teacher's institutes, approved February 10, 1855,

Respectfully report that they have had said bill under consideration, and return the same to the Senate, and recommend that it do pass.

S. L. WITHEY, *Chairman.*

Report accepted and committee discharged.

Mr. Withey moved that the bill be ordered to a third reading.

Mr. Baldwin moved to amend by inserting, after the word "institute," in the second line of section 2, the words "during the years 1861 and 1862;"

Which motion prevailed.

Mr. Wilder moved that the bill be referred to the committee of the whole;

Which motion did not prevail.

Mr. Jones moved that the words "one hundred and twenty-five," in the fifth line of section 2 be stricken out, and the word "fifty" inserted.

Mr. DeLand moved to amend the motion by striking out "and twenty-five ; pending which,

On motion of Mr. Williams,

The bill was laid on the table.

By the committee on public lands :

The committee on public lands, to whom was referred

A bill to amend an act entitled an act to provide for the drainage and reclamation of swamp lands by means of State roads and ditches, approved February 12, 1859, by adding thereto sections 13, 14, 15, 16, 17, 18, 19, 20 and 21;

Have had the same under consideration, and report the same back to the Senate, without amendment, and recommend that it

do pass, and ask to be discharged from the further consideration thereof.

E. HAZEN, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the same committee:

The committee on public lands, to whom was referred

A bill making an appropriation of swamp land for the improvement of the State road from Port Sanilac, in Sanilac county, to the terminus of the Bay City and Tuscola Plank Road,

Have had the same under consideration, and would respectfully report the same back to the Senate, and recommend that the same do pass, and ask to be discharged from the further consideration of the subject.

EZRA HAZEN, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the same committee :

The committee on public lands, to whom was referred

A bill authorizing the commissioners of the Port Hope and Saginaw Bay State road to change its location, and making a grant of swamp land for improving the same,

Have had the same under consideration, and respectfully report the same back to the Senate without amendment, recommend that it do pass, and ask to be discharged from the further consideration of the same.

EZRA HAZEN, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on manufactures:

The committee on manufactures, to whom was referred

A bill to amend act No. 200 of the session laws of 1859

being an act to encourage the manufacture of salt in the State of Michigan,

Have had the same under consideration and would respectfully report that in the opinion of your committee the salt interest of the State is only partially developed, and still requires encouragement and fostering care. Your committee are also of the opinion that the present bounty is larger than is necessary to induce capitalists to engage in this branch of manufacture. They have so amended the bill as to make the bounty ten cents on every barrel manufactured, and as amended would return it to the Senate and recommend that it do pass, and ask to be discharged from the further consideration thereof.

D. G. WILDER, *Chairman*.

The report was accepted, the committee discharged, the amendment concurred in, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on agriculture :

The committee on agriculture, to whom was referred so much of the retiring and present Governors' messages as relates to the Agricultural College of the State of Michigan, and the creation of a board of agriculture, also House bill No. 9, entitled

A bill to transfer the general supervision and government of the State agricultural college from the State board of education to a State board of agriculture;

Have had the same under consideration, and beg leave to report the said bill back to the Senate with a recommendation that the same do not pass.

In the opinion of your committee, a Board of Agriculture of such a State as Michigan, the chief industrial employment of whose inhabitants must be agricultural, should not be barely nominal; with the limited duties prescribed by the bill submitted to them.

Massachusetts, Ohio, Indiana and other States have created boards of agriculture, vested with important functions and powers. The chief object of such boards is, or should be, to examine the industrial condition, collect and combine the statistics, make



known new modes of culture, introduce new breeds, and thus develop the resources and increase the productions of the State.

Your committee are satisfied that in those States where such boards have been established, public expectation has been fully realized, and they have already proved most prolific agencies in agricultural progress.

Your committee herewith report a bill to establish a Board worthy of the present dignity and prospective wants of the State, clothed with somewhat limited powers, but so organized as to secure public confidence, and to become a fit trustee and representative of the agricultural interests of the State.

The manner of creating the board provided for by the bill, is believed by your committee such as to secure a board fresh from the people, with no political or other affinities which will destroy the confidence of the people. It authorizes the appointment of a Secretary, whose whole time shall be devoted to the promotion of agriculture, and whose functions shall be, to publish promptly the annual reports and proceedings of the State and County Agricultural Societies, and whose numerous duties are prescribed in the bill submitted.

The bill also makes appropriation sufficient for the payment of the Secretary, and to meet the incidental expenses of the offices.

Your committee are aware that it has become necessary to practice the most rigid economy in all appropriations made by this Legislature, but inasmuch as equally, and perhaps more important objects are to be secured by the new agency contemplated by the bill, they recommend that in the annual appropriations for the benefit of the agricultural interest of the State, the board of agriculture receive such share as the public interest require, and inasmuch as the board are to take charge of, and publish the reports of the State Agricultural Society, the appropriation hitherto made to that society, or some portion thereof, be transferred to the Board of Agriculture.

By the provisions of the bill referred to, your committee are unable to perceive any remedy for the defects in the organ-

ization of the Agricultural College. The mere transfer of important duties from four men to five other men, with no change except in title, can result in no possible advantage unless some attempt is made to re-organize, and re-invigorate the institution, and thus supply the defects in the present law.

The present condition of the Agricultural College and the despair that now exists concerning it, is greatly to be deplored, but its misfortunes can be traced to obvious causes. The Legislature that created it erred, in the opinion of your committee, in locating it in a forest, and placing the institution, which was designed to lead and enlighten, in a position where it must struggle for its existence, far in the rear of and almost beyond the sympathies of the agricultural world.

To give a novel experiment, sure to encounter bitter and blind opponents in its very nature, a fair and full trial, it should have been established on the best and most highly cultivated soil, amid the most dense and most enlightened farming community of the State.

In the erection of the boarding and college halls, by contract, there is reason to believe that great frauds were committed. These structures proved unfit for the purposes for which they designed—defective in construction and arrangement. There seems to have been gross neglect in the supervision of all the preparations for the inauguration of the College.

When the President and Faculty entered upon their duties, on the 13th of May, 1857, the Board of Education, or their agents, had expended, or committed the institution to the expenditure of \$65,000. It thus commenced its existence, crippled, and public confidence was destroyed before it commenced.

When the College was opened, it had a *few acres* only, of arable land, no barns, no sheds, no feed for stock, and no adequate accommodations for students, and not even sufficient appliances for cooking, and at a period when teams, transportation, grain, flour, meats, cattle and horses, were held at most exorbitant rates.

Nothing could be obtained except at double prices; mechan-

ical labor was correspondingly high, and to add to all the other difficulties, the crops of the year mostly failed in the whole adjacent region. In the very midst of such a season, it became necessary to re-roof and re-plaster throughout the largest building, and erect buildings for Professors. This was done under the supervision of a most efficient and faithful builder, whose services were secured by the board, and though there was no impeachment of the fidelity of any party employed, yet the work was prosecuted under the most adverse circumstance, and by absolute necessity, at an expense far beyond the estimates.

The next season was equally unpropitious, the staple crops of the country being wholly or partially cut off. Bilious diseases incident to a new country, intercepted work and studies, and at one time disabled half of the students; yet during the first two years of the existence of the institution, the reports show that 240 acres of land had been subdued and brought under cultivation. In the meantime the college was crowded with students beyond its capacity to accommodate them, and the compatibility of labor with study was proved, and by general confession the students made satisfactory and rapid progress.

During the third season, the staple crops of the country were again cut off, and while the manager of the farm estimates prospectively, and so published, the probable crops of the season at \$3,200, the actual yield was but about one-fourth of that value.

The past season was the first propitious one, and consequently the farming operations have afforded satisfactory results.

In the meantime, no experiments, such as must be contemplated by a true Agricultural College, have been tried. It has been from the commencement, a struggle with the elements and a rough encounter, similar to that in which the settlers of a new country are compelled to engage, repulsive rather than instructive in their character.

A difference of opinion has sprung up in regard to the scope and designs of the institution. At the commencement of the last

year of study, the board of education established a programme of studies too elevated for the candidates likely to seek the advantages of the institution. In consequence of the violent change, or diminished confidence in the management, or for other causes, but a small number of students were in attendance at the commencement of the term, whereas 165 were present seeking admission in the spring of 1858. The average attendance during the season of 1860, was small compared with the year 1858.

Such facts bring your committee to the irresistible conclusion that the qualifications of students at their admission, and the term of time that shall embrace a full course of study, shall be determined by law.

Your committee have discovered great defects in the act of organization of the college. Several of the requirements of the law have been entirely impracticable, because applicable only on a cultivated farm, and in an institution entirely matured. They find, also, that the law is defective in many important particulars, vital to the future success and safety of the Institution. They also find that provisions of this law have been disregarded, or so misconstrued that it has become necessary to render them more positive and imperative.

In view of all these facts and such severe experience, they deem it their duty to provide in the bill, which they herewith report, for the entire re-organization of the college.

Great delusion exists, arising from the persistent misrepresentations in regard to the gross expenditures upon this enterprise.

The appropriation in 1855, was.....	\$56,320 00
" " " 1857, " .....	40,000 00
" " " 1859, " .....	37,500 00
Total, .....	<u>\$133,820 00</u>

One half of this gross sum was practically expended before a president was inaugurated, or the college commenced.

The first appropriation was the proceeds of twenty-two sec-

tions of Salt Spring lands, which cost the people nothing. The sum of \$77,500 is the actual cost from the pockets of the people.

From the investigations of your committee, they would say that they deem the financial reports of the institution as satisfactory, and that every officer has honestly and conscientiously accounted for all expenditures. The misfortunes, frauds of contractors, and blunders, are to be attributed to its fatal location, and almost abandonment by the board of education in the early stages of its progress.

In spite of the malignant and often blind hostility that has been exhibited towards the institution from the commencement, and the misfortunes that have clustered upon it, your committee believe, that the principles upon which it was established, are founded upon immovable truths. The great question is, whether the education of the whole man, physically, morally and intellectually, can be carried on together; in a word, whether all of the faculties of a man can be developed in harmony, or whether one set of faculties must be cultivated at the expense of others. If it cannot be done, then there is no need of any new and improved agencies of education, and progress in that direction must stop.

Your committee express their confidence in the future triumph of the plan, and of this noble attempt at improvement. The great cause of education, as well as the honor of the State, is involved. To rescue the institution, demands an entire re-organization, and its identification with a Board of Agriculture.

Your committee therefore recommend the passage of the accompanying bill, and ask to be discharged from the further consideration of the subject.

IRA H. BUTTERFIELD, *Chairman.*

The report was accepted, and committee discharged.

On motion of Mr. Ingersoll,

Five hundred extra copies of the report were ordered printed, for the use of the Senate.

The substitute, entitled

A bill to reorganize the Agricultural College of the State of Michigan, and to establish a State Board of Agriculture, which shall have control of said College and the lands belonging thereto, and be connected with the agricultural interests of the State,

Was read twice, by title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs :

The committee on State affairs, to whom was referred House bill, in manuscript, being

A bill to amend section 5, of chapter 81, of the revised statutes of 1846, the same being section 2436 of the compiled laws,

Report that the bill proposes a necessary modification of the law respecting bonds to be filed by county treasurers before receiving moneys paid to them on account of trust fund lands. Your committee accordingly return the bill to the Senate, with the recommendation that it do pass.

BYRON G. STOUT, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on manufactures :

The committee on manufactures, to whom was referred

A bill to amend section 1661, of chapter 52, of compiled laws, in relation to the manufacture and sale of spirituous or intoxicating liquors as a beverage,

Have had the same under consideration, and would report the bill back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from its further consideration.

D. G. WILDER, *Chairman*.

The report was accepted, the committee discharged, and the bill laid on the table and ordered printed.

By the committee on public instruction:

The committee on public instruction to whom was referred

A bill to repeal section 2, of act No. 106, of the laws of 1840,

Respectfully report that the bill in question proposes to repeal a law which prohibits the formation of school districts from territory lying on different sides of Grand River, below Ionia in the county of Ionia. The reason of the law is evident: at the time of its passage, your committee believe, there was not a bridge across Grand River below Ionia, since that time this river has been bridged at several points, and in the opinion of your committee the reason for the passage of the law of 1840, no longer exists. They therefore recommend its repeal, and to this end, return the bill and recommend that it do pass.

S. L. WITHEY, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

#### MESSAGE FROM THE GOVERNOR.

The President announced a communication from the Governor on executive business.

#### COMMUNICATIONS FROM STATE OFFICERS.

The President announced the following :

AUDITOR GENERAL'S OFFICE, }  
Lansing, February 13, 1861. }

Hon. JAMES BIRNEY, *President of the Senate:*

SIR—I have the honor to enclose herewith a statement in answer to a resolution passed by the Senate on the 12th inst., asking for information in regard to appropriations made from the grant of lands made to this State by Congress for purposes of internal improvement, and by reference to House Document No. 12, 1857, it appears that lands appropriated for works of public improvement from 1848 to 1855, (inclusive,) was 408,661.70 acres. But, on examination, it is found that omissions and errors in the document above referred to, (prepared by a former accountant,) amounts in all to 157,895.29 acres, which, added to the former amount, shows the appropriations to have been 44,556.99 acres more than the grant, as will appear below.

All which is respectfully submitted.

L. G. BERRY, *Auditor General.*

## STATEMENT.

Appropriations as per House Document No. 12, 1857, from 1843 to 1855, (inclusive,) is... 408,661.70

Omissions and errors are as follows:

Act No. 25, 1843, (omitted,) .....	150,000.00	
"    27, 1844,    "    .....	2,000.00	
"    27, 1845, (error,).....	5,859.29	
		<hr/> 157,895.29

Total appropriations,.....	566,556.99
----------------------------	------------

Amount of grant,.....	500,000.00
-----------------------	------------

Showing an over appropriation of.....	<hr/> 66,556.99 <hr/>
---------------------------------------	-----------------------

The message was laid on the table.

## MESSAGE FROM THE OTHER HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, February 14, 1861. }

*To the President of the Senate:*

**SIR:**—I am instructed to return to the Senate the following concurrent resolution:

*Whereas*, The highest interests of the State require amendments of the Constitution, in many of its provisions, in the opinion of this Legislature, and should be accomplished at the earliest day practicable; therefore,

*Resolved*, By the Senate (the House concurring) that a committee of three from each branch of the Legislature, be appointed to act as a joint committee, to take into consideration and report what amendments of the Constitution of the State are required to promote the best interest of the people of the State, and that such committee be authorized to report by joint resolution such amendments as, in their opinion, should be submitted to the people;

And to inform the Senate that Representatives Lockwood, Howell and Pringle have been appointed, on the part of the House, said committee.



In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Strickland, unanimous consent being given, introduced

A bill to authorize telegraph operators to be examined as witnesses in criminal cases ;

Which was read twice, by title, and referred to the committee on the judiciary.

Mr. Strickland also introduced

A bill to amend section 8, of act No. 138, of the session laws of 1859, entitled an act to provide for the trial of offences upon information ;

Which was read twice, by title, and referred to the committee on judiciary.

Mr. Strickland also introduced

A bill to authorize townships to raise money to drain swamps and marshes ;

Which was read twice, by title, and referred to the committee on internal improvement.

Mr. Monroe, leave being granted, introduced

A bill to incorporate the city of Coldwater,

Which was read twice, by title, and referred to the committee on incorporations.

Mr. Ingersoll offered the following :

*Resolved*, That the election of a President *pro tempore* of the Senate be made the special order for Saturday next, at 12 o'clock M. ;

Which was adopted.

Mr. Carpenter offered the following :

*Resolved*, That section 2, article 14, of the constitution of the State which declares "that the Legislature shall provide by law a sinking fund of at least \$20,000, to commence in 1852, with

compound interest at the rate of six per cent. per annum, and an annual increase of at least five per cent., to be applied to the payment and extinguishment of the principal of the State debt, other than the amounts due the educational funds, and shall be continued until the extinguishment thereof," imposes upon this Legislature the duty of providing by law for a sinking fund ;

On motion of Mr. Williams,

The resolution was laid on the table by the following vote :

# YEAS.

Mr. Baker,	Mr. Galloway,	Mr. Near,
Baldwin,	Hazen,	Owen,
Butterfield,	Ingersoll,	Tower,
Coulter,	McDermid,	Wilder,
DeLand,	Monroe,	Williams,
Gale,		

16

# NAYS.

Mr. Adair,	Mr. Green,	Mr. Mulholland,
Backus,	Jones,	Stout,
Briggs,	Lacy,	Strickland,
Carpenter,	Lane,	Withey,
French,		

13

Mr. Stout offered the following :

*Whereas*, By act of Congress distributing the surplus revenue among the several States of the Union, the State of Michigan received about \$280,000, for the reimbursement of which, with interest, demand may be made by the General Government at any time ; therefore,

*Resolved*, That the committee on the judiciary be instructed to report to the Senate whether there exists any constitutional objection in the way of guaranteeing an amount of the United States bonds, equal to the sum received by the State on account of such distribution of surplus, with interest, not exceeding \$750,000 in all, and to report by bill or otherwise.

Which preamble and resolution were adopted.

Mr. Gale gave notice that on to-morrow or some future day he would ask leave to introduce

A bill to amend section 3064, of compiled laws, relative to the sale of real estate of deceased persons ;

Also,

A bill to amend section 9248, of compiled laws, relative to persons to be sentenced to the house of correction or reform school ;

Also,

A bill to amend section 2299, of compiled laws, relative to the report of the district board of primary schools to the supervisor.

Mr. Baker gave notice that on some future day he would ask leave to introduce

A bill for the improvement of the meridian line road from Hudson to the Ohio line;

Also,

A bill to authorize the First Congregational Society of Hudson to dispose of real estate ;

Also,

A bill to repeal sections 1687 and 1688, of chapter 54, of the compiled laws, being in relation to county and town agricultural societies.

Mr. Ingersoll offered the following :

*Resolved*, That A. B. Allen, E. P. Bliss, and other petitioners, relative to a site for a school house in the township of Rush, in Shiawassee county, have leave to withdraw said petition;

Which was adopted.

On motion of Mr. Brown,

Senate bill, No. 37 and 38, and the bill making appropriations for finishing the Michigan Asylum for the insane,

Were made the special order for this afternoon, at 2 o'clock.

Mr. DeLand moved that House bill No. 5, being

A bill to facilitate the commencement of suits against joint defendants residing in several counties;

Be taken from the table, and recommitted to the committee on the judiciary;

Which motion did not prevail.

On motion of Mr. Owen,

The Senate then took a recess until 2 o'clock P. M.

## AFTERNOON SESSION.

The Senate was called to order at two o'clock.

Roll called : quorum present.

On motion of Mr. French,

The Senate went into executive session.

The executive session closed.

Senators Backus and Baldwin were granted leave of absence for this afternoon.

## THIRD READING.

House bill, entitled

A bill to amend section five of chapter eighty-one of the revised statutes of 1846, relative to bonds of county treasurers in certain cases,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. Gale,	Mr. Mulholland,
Briggs,	Galloway,	Near,
Brown,	Hazen,	Owen,
Butterfield,	Ingersoll,	Stout,
Carpenter,	Jones,	Tower,
Coulter,	Lacy,	Wilder,
DeLand,	McDermid,	Withey,
French,	Monroe,	

23

## NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all of said Senators.

Senate bill entitled

A bill to repeal section 2, of act No. 106, of the session laws of 1840,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. Galloway,	Mr. Near,
Briggs,	Hazen,	Owen,
Brown,	Ingersoll,	Stout,
Butterfield,	Jones,	Strickland,
Carpenter,	Lacy,	Tower,

Coulter,  
DeLand,  
French,

McDermid,  
Monroe,  
Mulholland,

Wilder,  
Withey,

23

NAYS.

0

On motion of Mr. Withey,

The title was amended by adding thereto the words "relative to formation of school districts embracing lands lying on both sides of Grand River;" and, as thus amended, the title was agreed to.

#### GENERAL ORDER.

On motion of Mr. DeLand,

The Senate went into committee of the whole on the general order,

Mr. Near in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report :

The committee of the whole have had under consideration Senate joint resolution No. 7, being

Joint resolution appropriating the tolls of the St. Mary's canal to the payment of the amount due counties for taxes assessed on canal lands ;

Also, House bill No. 43, entitled

A bill to amend section 5, of chapter 165, of the revised statutes of 1846, section 6072 of compiled laws ;

House bill No. 1, being

A bill relative to levies of exections on real estate ;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend their passage.

The committee have also had under consideration

House bill No. 38, being

A bill to provide for the levying of a special tax in certain townships in Van Buren and Allegan counties herein named, for the improvement of the mouth of the South Black River, in the county of Van Buren ;

Also, House bill No. 41, being

A bill relative to interest on contracts between citizens of this State and other States and countries, payable elsewhere than in this State ;

A bill to amend an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 14, 1853, and the acts amendatory thereto, approved February 12, 1855, approved February 4, 1858 ;

Have made no amendment thereto, and have directed their chairman to report the same back to the Senate, and recommend their passage.

J. L. NEAR, *Chairman of Committee.*

The report was accepted, the committee discharged, the amendments concurred in, and the joint resolution and several bills were ordered to a third reading ;

On motion of Mr. Carpenter,

Senate bill No. 2, being

A bill to amend section 2581, of the compiled laws, being section 4 of an act entitled an act to provide for the collection of tolls, and for the care, charge and operating of the St. Mary's Falls ship canal, approved Feb. 12, 1855,

Was taken from the table and referred to the committee on internal improvements.

The Senate then adjourned.

---

*Lansing, Friday, February 15, 1861.*

The Senate was called to order at 10 o'clock A. M.

Roll called : a quorum present.

PETITIONS PRESENTED.

By Mr. Carpenter : petition of Richard McFarland, F. G. Beagle and 49 others, of Lenawee county, for a law appropriating 25,000 acres of swamp lands, to build a road through the Cotton Wood swamp, from Blissfield to Ottawa Lake ;

Referred to the committee on public lands.

By Mr. Gale : petition of J. L. Wilcox and 62 others, praying for an appropriation of swamp lands for the drainage of a certain swamp situated in the town of Gaines, Genesee county ;

Referred to the committee on public lands.

Also, of Reuben McCreery and 38 others, for the same ;

Referred to the same committee.

By Mr. Williams : memorial of Cyrus Lovell, asking relief in cases where lands had been sold for taxes illegally by the State ;

Referred to the committee on the judiciary.

By Mr. Baldwin : remonstrance of Duncan Stewart, E. B. Ward, C. H. Buhl, Bridge, Lewis & Co., and 82 others, against the passage of any law by the legislature, to prevent mining companies of Lake Superior, from providing the men in their employ with provisions and merchandise, issuing drafts and dictating as to time and way of settling with persons in their employ ;

Referred to the committee on the judiciary.

By Mr. Backus : petition of T. J. Barry, J. W. Strong and 25 other citizens of Detroit, praying for an amendment of the Constitution that will enable the Legislature to establish a system of banking similar to that of Ohio and Indiana ;

Referred to the committee on judiciary.

By Mr. Lanc: petition of Frederick Carlisle and 41 others, citizens of Washtenaw county, praying for the enactment of a law more clearly defining the rights and powers of the president, regents and professors of the University.

Which was referred to the committee on public instruction.

By Mr. Williams: petition of T. C. Clapp, Geo. W. Beisel, Charles Cooper and 38 others, citizens of White Pigeon, praying for such legislation as will secure a banking law similar to the system of Ohio and Indiana ;

Referred to the committee on incorporations.

#### REPORTS OF STANDING COMMITTEES.

By the committee on roads and bridges :

The committee on roads and bridges to whom was referred two several bills for the alteration of chapter 22 of the com-

piled laws, relative to laying out, altering and discontinuing public roads,

Respectfully report that they have had the same under consideration, that they find them similar in principle, that they have made some slight alterations in one of them, and recommend its passage as amended, and ask to be discharged from the further consideration of the subject.

All of which is respectfully submitted.

N. GREEN, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole and placed on the general order.

By the committee on incorporations:

The committee on incorporations, to whom was referred House bill, entitled

A bill to amend an act entitled an act to incorporate the city of Battle Creek, approved February 3, 1859,

Respectfully report the same back to the Senate without amendment, and recommend its passage. They ask to be discharged from the further consideration of the subject.

JOS. R. WILLIAMS, *Chairman.*

The report was accepted, the committee discharged, the bill referred to the committee of the whole, and placed on the general order.

By the committee on incorporations :

The committee on incorporations, to whom was referred the petition of the president and trustees of the village of Coldwater, the petition of Geo. A. Coc, Chas. Upson, L. D. Crippen, and 276 others, and the proceedings of two meetings of the citizens of Coldwater, all praying for the incorporation of the city of Coldwater;

Also,

A bill to incorporate the city of Coldwater,

Have had the same under consideration, and respectfully report that the prayer of the petitioners ought to be granted.



They therefore report the bill referred to them back to the Senate with a recommendation that the same do pass, and ask to be discharged from the further consideration of the subject.

JOS. R. WILLIAMS, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to amend section eight of act No. 138, of the session laws of 1859, entitled an act to provide for the trial of offences upon information,

Have had the same under consideration, and would respectfully report the same back to the Senate and recommend that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee:

The committee on the judiciary, to whom was referred the petition of Peter Hill, and 905 others, mechanics of Michigan, praying for an amendment of the law, to enable them to collect their just dues with more expedition and certainty,

Have had the same under consideration, and would respectfully report, that not only the numbers and respectability of the petitioners, but the justice of their claim, demands at the hands of the legislature, all the aid in their power to enable this large and meritorious portion of our citizens to realize in all cases, the speedy collection and receipt of their wages, upon which they depend for the support and comfort of themselves and families. Your committee are aware that no class of our citizens have suffered more from the imperfections of human law than the mechanic, in the matter of the collection of their wages. This it should be the policy of every wise government

to remedy ; and no injustice can be done to any one, if the subject of their labor, by stringent lien laws, are, above all other things, made subject to the payment of the wages of those whose labor has increased, and to a large extent, made the value of the subject so charged with the law.

Your committee to that end report back a bill, which bill they recommend do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the same committee :

The committee on the judiciary, to whom was referred the petition of A. W. Childs, H. M. Boyes, E. M. Hubbard and twenty-four others, members of the First Congregational Church and society of Hudson, praying for a law authorizing them to dispose of real estate,

Have had the same under consideration, and would respectfully report the same back to the Senate, together with a bill to effect the object of the petitioners, which bill your committee recommend do pass, and ask to be discharged from the further consideration of the same.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the same committee :

The committee on the judiciary, to whom was referred

A bill to authorize telegraph operators to be examined as witnesses in criminal cases,

Have had the same under consideration and would respect-

fully report the same back to the Senate and recommend that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on enrolled bills :

The committee on enrolled bills, to whom was referred

A bill to amend act No. 248, of the laws of 1859, entitled an act to regulate fire, marine, life and health insurance companies, and their agents, associations, partnerships, and individuals doing fire, marine, life, and health insurance business, not incorporated by the State of Michigan, approved February 15, 1859;

Also,

A bill to amend section 25, of title 4, and section 4, of title 11, of an act entitled an act to revise the charter of the city of Grand Rapids;

Also,

A bill to authorize the First Presbyterian Society in Ann Arbor to borrow money and secure the payment thereof,

Have had the several bills under consideration, and would respectfully report the same back to the Senate correctly enrolled.

H. O. BRIGGS, *Chairman.*

The report was accepted, and the bills signed and presented to the Governor.

By the committee on roads and bridges :

The committee on roads and bridges, to whom was referred numerous petitions for the repeal of the charter of the Jackson and Michigan plank road company; also memorial of the directors and sundry remonstrances against such repeal, respectfully report:

Under the resolution authorizing the committee to send for

persons and papers, and take testimony in relation to violations of the charter of said company, the chairman notified the parties interested to appear before them. A committee representing those asking for the repeal appeared on the day set, and were duly examined, and submitted the proof hereafter noticed. After considerable delay, an attorney or agent (a stockholder) of the company also appeared, but presented no witnesses or testimony in behalf of the company.

From the testimony of the witnesses examined, the committee derive the following information:

That the Jackson and Michigan plank road company was chartered by the Legislature of 1848. The act of incorporation provides that said company shall be liable to all the provisions of the general plank road law of 1848.

The route of said road was to be from the village of Jackson, in Jackson county, to the village of Michigan (now Lansing), in Ingham county. The law of 1848 requires the completion of all roads chartered under that act, within ten years from the organization of the company. It appears that this company have never constructed or maintained their road further than from the city of Jackson to the village of Eaton Rapids.

As to the general condition of the road, the testimony establishes the following facts:

Nine miles of this road north from the city of Jackson was public highway; was a fair and passable road when taken possession of by the company, and with the ordinary amount of road work expended upon it, would now be in as good condition as the plank road now is.

The company pretended to open their road to Eaton Rapids, but have now abandoned the north half of the same to the great detriment of the public. At no time since the road was opened have the company complied with the spirit of the law by keeping up side track, making good road crossings, and keeping the same in repair, as contemplated by the law.

During the last six months there has been no bridge across Grand River, (in the town of Onondaga, Ingham county, on the

line of said road,) the same having been swept away by high water, but a ferry has been established, and unreasonable fees extorted from travelers; also hindering and delaying travel on the same.

The grade of the hills on the south half of the road was not conformable to the law, which limits it to one foot in ten, while the actual ascent of a number of hills was 15 to 17 inches in ten feet, and in one or two instances greater.

The roadway, in many instances is not so constructed as to allow teams to pass on and off easily as required by law, but in many places it is narrower, out of repair and dangerous. This is particularly the case where the same has been gravelled. The gravelling has not been done in sections but in patches of a few rods each, and these are not, in many cases, of the width and depth required by the law. Upon some of the hills the plank have been removed and no gravel at all substituted.

The company have produced no counter proof or witnesses, and the committee have received nothing except the statement of the attorney and the printed memorial presented to the Legislature.

The act of incorporation provides that "this act shall be in force for sixty years from its passage, but the Legislature may alter, amend or repeal the same by a vote of two-thirds of each branch thereof, but not within thirty years from its passage, unless it shall be made to appear that there has been a violation by the company of some of the provisions of this act." The general plank road law of 1848, being made a part of the act, the committee look to its provisions as the law to be violated. The committee have no doubt that the company have failed entirely to comply with the spirit of the law, as also of the letter, so far as it limits the time of completing the entire line of the road, and of keeping it in good repair, &c. The question whether this is a sufficient ground for its repeal, we leave the legislature to decide.

The memorial of the Directors of the company says: "In conclusion, we respectfully pray that an act may be passed

allowing said company to abandon or surrender so much of their road as lies between Eaton Rapids and Berry's Mills, in the town of Tompkins, county of Jackson, being about twelve miles, or any part thereof, as the Directors may determine," &c.

It is the opinion of your committee that such a request should not for a moment be entertained, but that the company should be compelled to keep the whole road in repair or abandon the entire line. It appears satisfactory to the committee that the people would never have consented to the use of public highways for so short a distance, and only did consent with a view that the road should be maintained at least to Eaton Rapids. To accede to the request of the company would be, in our opinion, a matter of gross injustice to the public.

The reasons given in the memorial are not satisfactory to us, and are not sustained by any proof; but on the contrary, facts have come to our knowledge, which compel us to recommend that the request should not, under any circumstances, be complied with.

In conclusion, the committee return the bill and papers referred to them, with the opinion that, in justice to the petitioners, the bill should pass, and ask to be discharged from its further consideration.

N. GREEN, *Chairman.*

The report was accepted, the committee discharged, and the bill laid on the table.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to amend an act entitled an act to provide for the draining and reclamation of swamp lands, by means of State roads and ditches, being act No. 117, of session laws of 1859,

Report that they have had the same under consideration, and find that the same does not re-enact the section amended, as required by the constitution; the committee have therefore drawn a bill, and herewith report the same to the Senate as a substitute. The object of the amendment is to change the line of a State road, no part of the same having been worked, and which

change gives a more direct line and saves several miles travel, and arrives at the same point of termination, both lines of which have been surveyed, hence the proposed change in the opinion of your committee, should be made, and they recommend the passage of the substitute herewith submitted.

D. G. WILDER, *Acting Chairman.*

The report was accepted, the committee discharged, and the substitute adopted, and ordered to a third reading.

COMMUNICATIONS FROM STATE OFFICERS.

The President announced the following :

STATE LAND OFFICE,  
*Lansing, February 14, 1861.* }

Hon. JAMES BIRNEY, *President of the Senate :*

SIR:—In compliance with the resolution of the Senate of the 13th inst., I herewith transmit a statement showing, so far as the same appears by the records in my office, the State land trespassed upon during the two years prior to 1861, the settlements made therefor and by whom, the amounts in money and demands received. on account of such trespasses, the parties paying, and residence ; the agents employed, their residence and expenses ; the amount collected by each and accounted for.

I have the honor to be,

Very respectfully your Ob't Serv't.,

SAM'L S. LACEY,

*Commissioner.*

MESSAGES FROM THE OTHER HOUSE :

The President announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 14, 1861.* }

*To the President of the Senate :*

SIR:—I am instructed by the House to transmit the following bill, entitled

A bill to provide for the marking or branding of horses, cattle, sheep and swine ;

Which has passed the House by a majority vote of all the

members elect, in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill read twice, by title, and referred to the committee on agriculture.

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Strickland, unanimous consent being given, introduced

A bill to extend the time for the collection of taxes in the township of Bingham, in the county of Clinton;

Which was read twice, by title, and, the rule and order of business being suspended,

Read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

#### YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Monroe,	
Backus,	Gale,	Mulholland,	
Bailey,	Galloway,	Near,	
Baldwin,	Green,	Owen,	
Briggs,	Ingersoll,	Strickland,	
Brown,	Jones,	Tower,	
Butterfield,	Lacy,	Webb,	
Carpenter,	Lane,	Wilder,	
Coulter,	McDermid,	Withey,	27

#### NAYS

0

The title was agreed to, and the bill ordered to take immediate effect, by a vote of two-thirds of all said Senators.

Mr. McDermid gave notice that on some future day he would ask leave to introduce

A bill to amend section 45, chapter 52, of compiled laws, relative to the organization of incorporated villages under the general law.

Mr. Wilder gave notice that on some future day he would ask leave to introduce

A bill to establish a State road from section 23, in town 12 north, range 6 east, to section 8, town 10 north, range 8 east, and making a grant of swamp land for the improvement thereof;



Also,

A bill establishing a State road from Sebawaing to Watrous-ville, and thence south to intersect the Port Huron and Bay City State road, and making an appropriation of swamp land thereon.

Mr. DeLand, previous notice having been given, introduced

A bill relative to brokers and exchange dealers ;

Which was read twice, by title, and referred to the committee on finance.

Mr. Backus, leave being granted, introduced

A bill to abolish the distinction, in civil actions, and simplify the pleading therein ;

Which was read twice, by title, and referred to the committee on the judiciary.

### THIRD READING.

Senate bill, entitled

A bill to amend section 8, of chapter 1, of the revised statutes of 1846, being section 2, of chapter 1, of the compiled laws,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

### YEAS.

Mr. Adair,	Mr. French,	Mr. Monroe,
Backus,	Gale,	Mulholland,
Bailey,	Galloway,	Near,
Baker,	Green,	Owen,
Baldwin,	Ingersoll,	Tower,
Briggs,	Jones,	Webb,
Brown,	Lacy,	Wilder,
Butterfield,	Lane,	Williams,
Coulter,	McDermid,	Withey,
DeLand,		

23

### NAYS.

Mr. Stout,

1

The title was amended by adding thereto the words "of statutes defining general elections," and as thus amended agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

Senate bill, entitled

A bill to amend section 3483, chapter 113, of the compiled laws, regulating the recording and authentication of notices of lis pendens,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. Coulter,	Mr. Monroe,
Backus,	French,	Mulholland,
Bailey,	Galloway,	Near,
Baker,	Green,	Stout,
Baldwin,	Jones,	Strickland,
Briggs,	Lacy,	Tower,
Brown,	Lane,	Wilder,
Butterfield,	McDermid,	Withey,
Carpenter,		

25

## NAYS.

Mr. Gale,

1

The title was agreed to.

Senate bill No. 52, being

A bill to amend an act entitled an act to amend an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 14th, 1853, and the acts amendatory thereto, approved February 12th, 1855, approved February 4th, 1858,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Backus,	Mr. DeLand,	Mr. Monroe,
Bailey,	French,	Mulholland,
Baker,	Gale,	Near,
Briggs,	Galloway,	Strickland,
Brown,	Jones,	Webb,
Butterfield,	Lacy,	Wilder,
Carpenter,	Lane,	Withey,
Coulter,	McDermid,	

23

## NAYS.

Mr. Adair,

Mr. Stout,

2

The title was agreed to.

House bill No. 48, being

A bill to amend section 5, of chapter 165, of the revised statutes of 1846, section 6072 of compiled laws, relative to challenging jurors in criminal cases,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Mulholland,	
Backus,	French,	Near,	
Bailey,	Galloway,	Owen,	
Baker,	Jones,	Stout,	
Baldwin,	Lacy,	Strickland,	
Briggs,	Lane,	Tower,	
Brown,	McDermid,	Wilder,	
Butterfield,	Monroe,	Withey,	
Coulter,			25

## NAYS.

Mr. Carpenter,	Mr. Gale,	2
----------------	-----------	---

Title agreed to.

Senate joint resolution, No. 7, being

Joint resolution appropriating the tolls of the St. Mary's canal to the payment of the amount due counties for taxes assessed on canal lands;

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Backus,	Mr. French,	Mr. Near,	
Baker,	Gale,	Stout,	
Baldwin,	Galloway,	Strickland,	
Briggs,	Ingersoll,	Tower,	
Brown,	Jones,	Wilder,	
Butterfield,	Lacy,	Williams,	
Coulter,	McDermid,	Withey,	
DeLand,	Monroe,		23

## NAYS.

Mr. Adair,	Mr. Lane,	Mr. Mulholland,	
Carpenter,			4

Title agreed to.

House bill No. 41, being

A bill relative to interest on contracts between citizens of

this State, and other States and countries, payable elsewhere than in this State,

Came up in the order of third reading.

Mr. Withey, with the consent of the Senate, moved to amend by inserting after the word "into," in the 7th line of section 4, the words "in this State;"

Which motion prevailed.

The bill was read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows :

#### YEAS.

Mr. Backus,	Mr Baldwin,	Mr Tower,	
Bailey,	Carpenter,	Withey,	
Baker,	Ingersoll,		8

#### NAYS.

Mr. Adair,	Mr. Galloway,	Mr. Near,	
Briggs,	Jones,	Owen,	
Brown,	Lacy,	Stout,	
Butterfield,	Lane,	Strickland,	
Coulter,	McDermid,	Webb,	
DeLand,	Monroe,	Wilder,	
French,	Mulholland,	Williams,	
Gale,			22

House bill No. 38, being

A bill to provide for the levying of a special tax in certain townships in Van Buren and Allegan counties herein named, for the improvement of the mouth of the South Black River, in the county of Van Buren,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

#### YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Near,	
Backus,	French,	Stout,	
Bailey,	Galloway,	Strickland,	
Baker,	Ingersoll,	Tower,	
Baldwin,	Jones,	Webb,	
Briggs,	Lacy,	Witler,	
Brown,	McDermid,	Williams,	
Butterfield,	Monroe,	Withey.	
Coulter,	Mulholland,		26

## NAYS.

Mr. Carpenter,      Mr. Gale,      Mr. Lane,      3

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

House bill No. 1, being

A bill relative to levies of executions on real estate,

Came up for a third reading, and

On motion of Mr. Strickland,

Was laid on the table.

Senate bill, entitled

A bill to amend section 8, of act No. 138, of the session laws of 1859, entitled an act to provide for the trial of offences upon information,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. French,	Mr. Mulholland,	
Backus,	Gale,	Near,	
Baker,	Galloway,	Stout,	
Briggs,	Green,	Strickland,	
Brown,	Ingersoll,	Tower,	
Butterfield,	Lacy,	Wilder,	
Carpenter,	Lane,	Williams,	
Coulter,	McDermid,	Withey,	
DeLand,	Monroe,		26

## NAYS.

Mr. Jones,      1

The title was agreed to.

On motion of Mr. DeLand,

The Senate took a recess until 2 o'clock P. M.

## AFTERNOON SESSION.

The Senate was called to order at 2 o'clock.

Roll called : quorum present.

Leave of absence for an indefinite period was granted to Senator Hazen.

Senate bill, entitled

A bill to amend section one, of an act entitled an act to provide for the drainage and reclamation of swamp lands by means of State roads and ditches, being act No. 117 of session laws of 1859,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Near,	
Backus,	French,	Owen,	
Bailey,	Galloway,	Stout,	
Baker,	Green,	Strickland,	
Baldwin,	Ingersoll,	Tower,	
Brown,	Lacy,	Webb,	
Butterfield,	McDermid,	Wilder,	
Coulter,	Monroe,	Withey,	24

## NAYS.

Mr. Briggs,	Mr. Jones,	Mr. Mulholland,	
Gale,	Lane,		5

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all of said Senators.

Mr. Baker, unanimous consent being given, introduced

A bill for the improvement of the Meridian Line road from Hudson to the Ohio line;

Which was read twice by title, and referred to the committee on incorporations.

Mr. Withey, unanimous consent being given, introduced

A bill to amend section two of an act entitled an act to revise the charter of the city of Grand Rapids, approved February 14, 1857;

Which was read twice, by title, and referred to the committee on incorporations.

Mr. Baldwin, with the consent of the Senate, moved that the vote by which House bill No. 41, was lost this morning be reconsidered.

Mr. Gale moved to lay the motion upon the table;

Which motion did not prevail.

The motion to reconsider prevailed, the following being the vote thereon:

## YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,

Mr. Coulter,  
French,  
Green,  
Ingersoll,  
Lane,  
McDermid,  
Monroe,  
Mulholland,

Mr. Near,  
Stout,  
Strickland,  
Tower,  
Webb,  
Williams,  
Withey,

23

## NAYS.

Mr. DeLand,  
Gale,  
Galloway,

Mr. Jones,  
Lacy,

Mr. Owen,  
Wilder,

7

On motion of Mr. Ingersoll,

The bill was laid on the table.

The President, with the consent of the Senate, announced the following

## MESSAGE FROM THE GOVERNOR :

EXECUTIVE OFFICE,  
*Lansing, February 15, 1861.* }

*To the Senate :*

I acknowledge the receipt of the resolution of your honorable body requesting certain information in regard to the arms and military equipments of the State. In reply I herewith transmit the response of the Adjutant General to my demand for such information, which is all that is within my reach. Though the Governor is by law made Commander-in-Chief, yet practically the military department has been entirely under the control of the Adjutant General, whose office is kept at a distance. It results that my means of knowledge in respect to that department are not of the most satisfactory kind.

Very respectfully,

AUSTIN BLAIR.

The message and report were laid on the table, and the report ordered printed.

The President, with the consent of the Senate, announced the following :

EXECUTIVE OFFICE,  
*Lansing, February 15, 1861.* }

*To the Senate:*

I have approved and deposited in the office of the Secretary of State the following:

An act to authorize the trustees of the Central Methodist Episcopal Church of Lansing to borrow money, and secure the payment thereof by mortgage on lot No. 6, in block No. 96, in the city of Lansing;

Also,

An act to change the name of William Franklin Kelley;

Also,

An act to change the name of Cynthia Massey to Tinnie Young;

Also,

An act to change the name of Nellie Frances Augur;

Also,

An act to change the name of Alonzo M. Baldwin;

Also,

Joint resolution to provide for the printing and distribution of the report of the State Geologist;

Also,

An act to amend an act entitled an act to provide for the incorporation of railroad companies, approved Feb. 12, 1855;

Also,

An act to authorize the sale, by the State Treasurer, of two thousand copies of the compiled laws;

Also,

Joint resolution authorizing the State Treasurer to provide for the interest due upon the bonds of the State, in July and January next, and to pay the interest thereon, and upon the floating debt of the State;

Also,

An act to change the name of Clarissa Melissa Wing to Clara Barnes;

Also,

An act to amend sections seven, thirteen and twenty-one, of



chapter twelve of the revised statutes, the same being sections one hundred and fifty-four, one hundred and sixty, and one hundred and seventy-three of compiled laws, relative to the bonds of the State Treasurer;

Also,

An Act to repeal an act to amend chapter 23, of the revised statutes of 1846, relative to highway taxes, approved April 2, 1850;

Also,

An act to amend an act entitled an act disposing of certain grants of land made to the State of Michigan, for railroad purposes, by act of Congress, approved June 3d, 1856, approved Feb. 14, 1857.

AUSTIN BLAIR.

The message was laid on the table.

The President also announced the following :

MESSAGES FROM THE OTHER HOUSE.

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 15, 1861.* }

*To the President of the Senate :*

SIR:—I am instructed by the House to transmit the following bill, entitled

A bill to amend sections 1, 4 and 5, title 2, and section 6, of title 4, and sections 5, 6, 7 and 10, of title 5, also by adding a section to said title to stand as section 20, and sections 37, 38 and 40, of title 6, of an act to incorporate the city of East Saginaw, approved February 15, 1859 ;

Also,

A bill to amend an act to incorporate the city of Ann Arbor, approved April 4, 1851 ;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table and the bills read twice, by title, and referred to the committee on incorporations.

Also the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 15, 1861.* }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following bill, entitled:

A bill to amend an act entitled an act amendatory to the several acts in relation to the Wesleyan Seminary at Albion, and the Albion Female Collegiate Institute, approved February 9th, 1857 ;

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill ordered to be enrolled.

SPECIAL ORDER.

Mr. Withey moved that the special order of to-day be postponed until Thursday next.

Mr. DeLand moved, as a substitute, that the Senate go into committee of the whole for the consideration of the special order.

Mr. Withey moved so to amend his motion, that the bill for the apportionment of the State into senatorial districts, the same being a part of the special order, be now considered in committee of the whole.

On motion of Mr. Stout,

The subject was laid on the table.

The President, with the consent of the Senate, announced the following:

## MESSAGE FROM THE OTHER HOUSE.

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 15, 1861.* }

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following joint resolution:

**JOINT RESOLUTION** instructing our Senators and requesting our Representatives in Congress to oppose certain amendments to the Constitution.

*Resolved by the Senate and House of Representatives of the State of Michigan,* That our Senators in Congress be instructed, and our Representatives in that body requested, to oppose any amendment of the Constitution recognizing the right of property in man, or authorizing the extension of slavery into territory now free.

*Resolved,* That the Governor be requested to forward a copy of the above joint resolution to each of our Senators and Representatives in Congress;

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the joint resolution read twice.

On motion of Mr. Withey,

The joint resolution was laid on the table by the following vote:

## YEAS.

Mr. Adair,  
 Backus,  
 Baldwin,  
 Briggs,  
 Butterfield,

Mr. Coulter,  
 Gale,  
 Green,  
 Ingersoll,  
 Mulholland,

Mr. Near,  
 Owen,  
 Stout,  
 Tower,  
 Withey,

## NAYS.

Mr. Bailey,  
Brown,  
DeLand,  
Jones,

Mr. Lacy,  
Lane,  
McDermid,  
Monroe,

Mr. Webb,  
Wilder,  
Williams,

11

## GENERAL ORDER.

On motion of Mr. Monroe,

The Senate went into committee of the whole on the general order,

Mr. Wilder in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report :

The committee of the whole have had under consideration Senate bill No. 53, being

A bill to amend act No. 201, of the session laws of 1859, relative to the adulteration of alcoholic liquors ;

Also, Senate bill No. 55, being

A bill to amend section 14, of chapter 134, of the compiled laws, entitled of the action of ejectments ;

Also, Senate bill No. 56, being

A bill to amend sections one, three, four, six and seven, of an act entitled an act to incorporate the fire department of the city of Detroit, approved February 14, 1840, and an act amendatory thereto, approved January 14, 1859 ;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend their passage.

The committee have also had under consideration, Senate bill No. 52, being

A bill to regulate the manner of attaching unorganized territory to organized counties for judicial and municipal purposes,

And report the same back with the recommendation that it be referred to the committee on towns and counties.

D. G. WILDER, *Chairman.*

The report was accepted, the amendments concurred in, and the three first named bills ordered to a third reading.

The last named bill was referred to the committee on towns and counties.

Leave of absence until next Tuesday was granted to the Sergeant-at-Arms.

The Senate then adjourned.

---

*Lansing, Saturday, February 16, 1861.*

The Senate was called to order at 10 o'clock.

Prayer by Rev. Mr. Vibbert.

Roll called : a quorum present.

PETITIONS PRESENTED.

Mr. DeLand presented the memorial of Preston Mitchell and John L. Mitchell, contractors of the Marquette and Bay de Noc State road, for relief ;

Referred to the committee on claims.

By Mr. Strickland : petition of the Grand Lodge of Good Templars of this State, for a charter for said Lodge ;

Referred to the committee on incorporations.

Also, the following memorial in reference to the Agricultural College, by C. W. Knickerbacker :

*To the Hon. Senate of the State of Michigan :*

In consideration of the fact that the Agricultural College has been made sectarian in its character, by the proscription of Universalists, and their exclusion from participation in its religious exercises on the Sabbath, by the "Faculty" of the institution, and this, too, in contravention of the catalogue published at the opening of the institution, and in opposition to a respectful request from a majority of the students ; and in consideration of the fact, also, that the "State Board of Education," who have the supervision and control of the school, have *ignored* this abuse, and treated with contempt and defiance a respectful memorial, setting forth the facts and making an appeal to them for a correction of the wrong ; we respectfully ask your honorable body, in the name of the "sovereign peo-

ple," and especially in behalf of the *liberal christians* of this State, that by *express enactment* you place this institution *above* the control of *sectarianism*, placing all sects on an equal footing, and the College beyond the control of the peculiar views of any Board of Education, or Faculty, of the school.

And until this is done, we most earnestly *remonstrate* against any appropriation for said institution.

We ask no peculiar privileges for any sect or class ; we only ask of you, as our Representatives and law-makers, that the rights of all, under the Constitution, be secured.

Most respectfully,

C. W. KNICKERBACKER.

Referred to the committee on agriculture.

By Mr. Carpenter : petition of Rufus Wells, Stephen Stoddard and 65 others, citizens of Lenawee county, for a law appropriating 20,000 acres of swamp lands to build a road through the Cottonwood swamp, from Blissfield, in Lenawee county, to Ottawa Lake, in Monroe county ;

Referred to the committee on public lands.

By Mr. Ingersoll : petition of D. W. C. Gage, C. B. Mott, Curtis Emerson and 52 others, electors of Saginaw and Tuscola counties, for an appropriation of State swamp lands, for the construction of a State road from East Saginaw *via* Watrous-ville, to Forrestville, in the county of Sanilac, to be known as the East Saginaw and Forrestville State road ;

Referred to the committee on public lands.

By Mr. Withey : remonstrance of the common council of the city of Grand Rapids, against changing the boundaries of said city ;

Laid on the table.

#### REPORTS OF STANDING COMMITTEES.

By the judiciary committee :

The committee on the judiciary, to whom was referred the remonstrance of Duncan Stewart, E. B. Ward, C. H. Buhl and 80 others, remonstrating against the Legislature restraining the

mining companies of the Upper Peninsula from engaging in merchandizing,

Have had the same under consideration, and would respectfully report that the subject against which the present remonstrance protests, has been before this committee and been reported against not only as unwise and uncalled for, but against the best interest of those concerned therein, as the very showing of the petition so before your committee exhibited. Your committee therefore report back said remonstrance, and ask to be discharged from the further consideration of the same.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the remonstrance laid on the table.

By the same committee:

The committee on the judiciary, to whom was referred

A bill to abolish the distinction in civil actions, and simplify the pleadings therein,

Have had the same under consideration, and would respectfully report the same back to the Senate, and recommend that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the same committee :

The committee on the judiciary, to whom was referred the petition of Cyrus Lovell asking relief in cases where lands have been sold illegally for taxes,

Have had the same under consideration, and would respectfully report the said petition back to the Senate together with a bill giving effect to the prayer of said petition, so far as in the opinion of your committee such relief is expedient and competent, and recommend it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on agriculture :

The committee on agriculture, to whom was referred House bill No. 53, being

A bill to provide for the marking and branding of horses, cattle, sheep and swine;

Have had the same under consideration, and would respectfully report the same back to the Senate, and recommend that it do pass, and ask to be discharged.

I. H. BUTTERFIELD, *Chairman.*

The report was accepted, the committee discharged, and the bill referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred House bill to authorize certain highways to be laid out less than four rods wide,

Respectfully report that they have had the same under consideration, and believe that the legislation asked for is proper, and therefore recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

All which is respectfully submitted.

N. GREEN, *Chairman.*

The report was accepted, the committee discharged, and the bill referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom were referred petitions of inhabitants of Ionia county asking an appropriation of \$5,000 to improve a road leading from Ionia, in the county of Ionia, to Bellevue, in the county of Eaton,

Respectfully report that they have had the same under consideration, that they see no good reason why money should be appropriated on the above road, more than on many others, that



they think the legislation asked for would be unwise in the present condition of the treasury, and report adversely to the prayer of the petitioners, and ask to be discharged from the further consideration of the subject.

All of which is respectfully submitted.

N. GREEN, *Chairman.*

The report was accepted, the committee discharged, and leave granted for the withdrawal of the petition.

By the same committee:

The committee on roads and bridges, to whom was referred the petition of J. D. Stone, William C. Rowe and 32 others, freeholders of the township of Watson, in Allegan county, asking for the discontinuance of that portion of the Allegan and Lansing State road which passes through said township; also, a bill for the discontinuance of said road,

Respectfully report that they have had the same under consideration, and recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

All which is respectfully submitted.

N. GREEN, *Chairman.*

The report was accepted, the committee discharged, and the bill referred to the committee of the whole, and placed on the general order.

By the committee on finance:

The committee on finance, to whom was referred

A bill relative to brokers and exchange dealers,

Have had the same under consideration, and respectfully report the same back to the Senate without amendment, recommend that it do pass, and ask to be discharged from the further consideration of the same.

H. P. BALDWIN, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole and placed on the general order.

By the committee on agriculture:

The committee on agriculture, to whom was referred the sub-

jects of a State board of agriculture and the State Agricultural College, beg leave respectfully to make a supplementary report. They have already reported a bill which contemplates a complete re-organization of the College. They discover that under existing laws it may be regarded as necessary to commence the next term of the institution on Wednesday, the 27th of the present month, and to leave the obligation incumbent on present officers, when in a short time the old may be superseded by a fresh and new organization, subjects the parties to unnecessary embarrassment. Your committee proceed to supply (what should have been a necessary accompaniment to their former bill) the following joint resolution.

STEPHEN F. BROWN, *for the Committee.*

**JOINT RESOLUTION** relative to the Agricultural College.

*Whereas*, A bill is now pending before the legislature designed to create a State Board of Agriculture, and to reorganize the State Agricultural College; and

*Whereas*, Under existing laws the commencement of the next term should be on Wednesday, the 27th of the present month; and

*Whereas*, Any immediate action under the present administration may be in conflict with the organization that may be adopted by pending legislation, and a different Board of Control created; and

*Whereas*, Embarrassment and needless expense may be saved by a temporary postponement of the opening of the next term of the Agricultural College; therefore

*Resolved*, That the commencement of the next term of the Agricultural College be postponed to await the action of the Legislature.

The report was accepted, the committee discharged, and the joint resolution read twice.

On motion of Mr. Brown,

The rule and order of business were suspended, and the joint resolution read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. Gale,	Mr. Near,
Backus,	Galloway,	Owen,
Baldwin,	Green,	Stout,
Briggs,	Ingersoll,	Stickland,
Brown,	Jones,	Tower,
Butterfield,	Lacy,	Webb,
Carpenter,	Lane,	Wilder,
Coulter,	McDermid,	Williams,
DeLand,	Monroe,	Withey,
French,	Mulholland,	

29

## NAYS.

0

The title was agreed to.

By the committee on incorporations :

The committee on incorporations, to whom was referred

A bill to amend section 2, of an act entitled an act to revise the charter of the city of Grand Rapids, approved February 14, 1857 ;

Respectfully report that they have had the same under consideration, and report the same back to the Senate with a recommendation that it do pass. They ask to be discharged.

JOS. R. WILLIAMS, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee:

The committee on incorporations, to whom was referred House bill being

A bill to amend sections 1, 4 and 5, title 2, and section 6, of title 4, and sections 5, 6, 7 and 10, of title 5, also by adding a section to said title to stand as section 20, and sections 37, 38 and 40, of title 6, of an act to incorporate the city of East Saginaw, approved February 15, 1859 ;

Respectfully report that they have had the same under consideration, and report the same back to the Senate without amendment, and recommend that it do pass. They ask to be discharged from the further consideration of the subject.

JOS. R. WILLIAMS, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

## MESSAGES FROM THE OTHER HOUSE.

The President announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, February 16, 1861. }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following bill, entitled

A bill to extend the time for the collection of taxes in the township of Bingham, in the county of Clinton;

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill ordered to be enrolled.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, February 15, 1861. }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following bill, entitled

A bill to amend section 2936 of the compiled laws, being section 3, of chapter 118, and to repeal section 8941, being section 18 of said chapter, in relation to criminal jurisdiction of justices of the peace;

In the passage of which the House has not concurred, a majority of all the members elect not voting therefor.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table.

The President also announced the following :

HOUSE OF REPRESENTATIVES,  
*Lansing, February 15, 1861.* }

*To the President of the Senate:*

Sir:—I am instructed by the House to transmit the following bill, entitled

A bill to amend chapter 23, of the compiled laws, relative to obstructions and encroachments of highways;

Also the following joint resolution, entitled

Joint resolution relative to compensation of the firemen for the House of Representatives;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill read twice, by title, and referred to the committee on roads and bridges, and the joint resolution read twice and referred to the committee on finance.

The President also announced the following :

HOUSE OF REPRESENTATIVES,  
*Lansing, February 15, 1861.* }

*To the President of the Senate:*

Sir:—I am instructed by the House to transmit the following bill, entitled

A bill to change the name of the town of Fremont, in the county of Alpena,

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table and the bill read twice, by title, and referred to the committee on towns and counties.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, February 15, 1861. }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following bill, entitled:

A bill to change the name of the First Congregational Society of the village of Ionia, to "First Presbyterian Society of Ionia,"

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, February 15, 1861. }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following entitled bill :

A bill to amend section 3563, of the compiled laws, relative to proceedings in chancery for the foreclosure of mortgages,

Which the House has amended by striking out the word "the" where it first occurs in line 8, and inserting the word "either," in place thereof;

In the passage of which, as amended, the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table.

On motion of Mr. Withey,

The Senate refused to concur in the amendments made in the House.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 15, 1861.* }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following bill entitled

A bill to amend the charter of the village of Hillsdale;

Which the House has amended as follows:

Insert the word and figure "Section 1," immediately before the enacting clause;

Insert the words "sections one; thirteen and twenty-seven of" after the word "that" in the second line of the bill;

Insert the words "Sec. 1. *The People of the State of Michigan enact,*" before the word "that" in the fourth line of the bill;

Strike out the words "that section thirteen be and the same is hereby amended so as to read as follows," near the bottom of the first page, and insert "Sec. 13," in place thereof;

Strike out all after the word "Michigan," near the bottom of the third page, and insert in place thereof the following: "Sec. 27. Any justice of the peace of the town of Hillsdale is hereby authorized and empowered to enquire of, hear, try and determine, in a summary manner, all offences which shall be committed within said village against any of the by-laws, ordinances and regulations that shall be made;"

In the passage of which, as amended, the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of House of Representatives.*

The message was laid on the table, and the bill recommitted to the committee on incorporations.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 15, 1861.* }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following bill, entitled

A bill making appropriation for paying the indebtedness incurred by repairing damages done by fire at the State reform school ;

Also,

A bill to provide for the superintendence and care of the Bay City and Tuscola county State road ;

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bills ordered to be enrolled.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Ingersoll gave notice that on some future day he would ask leave to introduce

A bill making appropriations of swamp land for a State road from Tawas city, in the county of Iosco, to Traverse city, in the county of Grand Traverse;

Also,

A bill to amend section 5659, of compiled laws, relative to fees for publishing legal notices and advertisements.

Mr. Strickland gave notice that on some future day he would ask leave to introduce

A bill granting certain swamp lands to James Macroft.

Mr. Strickland gave notice that on some future day he would ask leave to introduce

A bill making an appropriation for the building of a bridge in the city of Lansing.



On motion of Mr. Monroe,

The committee of the whole was discharged from the further consideration of Senate bill, entitled

A bill to incorporate the city of Coldwater.

The order of business was suspended, and the bill was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Backus,	Mr. Gale,	Mr. Near,
Baker,	Galloway,	Owen,
Baldwin,	Green,	Stout,
Briggs,	Ingersoll,	Strickland,
Brown,	Jones,	Tower,
Butterfield,	Lacy,	Webb,
Carpenter,	McDermid,	Wilder,
Coulter,	Monroe,	Williams,
DeLand,	Mulholland,	Withey.
French,		

28

#### NAYS.

Mr. Adair,

1

The title was agreed to.

Mr. Monroe moved that the bill take effect on the first day of April next, except sections 44, 73, 74, 75 and 76, which sections, so excepted, shall take effect immediately;

Which motion prevailed, by a vote of two-thirds of all the Senators elect.

Mr. Carpenter, unanimous consent being given, introduced

A bill to repeal act No. 70, of the session laws of 1855, being an act entitled an act to establish teachers' institutes, approved February 10, 1855;

Which was read twice, by title, and referred to the committee on public instruction.

Mr. Gale, with unanimous consent, introduced

A bill to provide for the drainage and reclamation of an extensive marsh in the town of Gaines, Genesee county;

Which was read twice, by title, and referred to the committee on public lands.

Mr. Tower, unanimous consent being given, introduced

A bill to amend an act to extend the Ionia and Houghton Lake State road to Old Fort Mackinaw, on the straits of Mackinaw, being act No. 240, session laws of 1859;

Which was read twice, by title, and referred to the committee on public lands.

Mr. French, unanimous consent being given, introduced

A bill to amend section 2435 of the compiled laws, relative to the payment of moneys by purchasers of the trust fund lands to county treasurers;

Which was read twice, by title, and referred to the committee on public lands.

Mr. French, unanimous consent being given, introduced

A bill to provide for selecting and locating the unselected deficiency existing in the quantity of lands due to the State of Michigan, under the act of Congress, approved May 20, 1836, and for any other land grant made by act of Congress to this State;

Which was read twice, by title, and referred to the committee on public lands.

Mr. French, by unanimous consent, also introduced

Joint resolution authorizing the Commissioner of the State Land office, to adjust with the general government the conflicting claims existing between the general and State governments in relation to the several land grants made to this State, and secure patents for all unsettled balances due this State;

Which was read twice, by title, and referred to the committee on public lands.

Mr. McDermid, unanimous consent being given, introduced

A bill to amend section 45, of chapter 52 of compiled laws, relative to the organization of chartered villages;

Which was read twice, by title, and referred to the committee on incorporations.

On motion of Mr. Withey,

House bill No. 19, being

A bill to amend an act entitled an act to establish teachers institutes, approved Feb. 10, 1855,

Was taken from the table, referred to the committee of the whole, and placed on the general order.

On motion of Mr. French,

The committee of the whole was discharged from the further consideration of House bill, entitled

A bill to amend an act entitled "an act to incorporate the city of Battle Creek," approved February 3, 1859;

And the same was ordered to a third reading.

On motion of Mr. Withey,

Senate joint resolution, No. 8, was made the special order for Friday next.

Mr. Stout, unanimous consent being given, introduced

A bill to provide for the appointment and payment of commissioners of swamp land roads;

Which was read twice, laid on the table and ordered printed.

On motion of Mr. Brown,

Senate bill No. 64, being

A bill to amend an act entitled an act to provide a military fund in aid of the uniformed volunteer militia, approved February 14, 1859,

On motion of Mr. French,

Was taken from the table.

The bill was recommitted to the committee on the militia.

Mr. DeLand gave notice that on some future day he would ask leave to introduce

A bill to require the commissioners and overseers of highways to give bonds, and for other purposes.

Mr. Owen gave notice that on some future day he would ask leave to introduce

A bill to repeal a portion of act No. 78, session laws, 1846;

Also,

A bill to confirm sales of certain school lands in the Upper Peninsula, made by the Commissioner of the State Land Office, pursuant to notice, August 4, 1859;

Also,

A bill to provide for the recovery of damages sustained to

property by individuals, in crossing decayed and defective bridges.

Mr. Near gave notice that on some future day he would ask leave to introduce

A bill making appropriations of swamp land to improve certain roads in Wayne and Monroe counties.

Mr. Williams gave notice that on some future day he would ask leave to introduce

A bill to amend act No. 229, session laws of 1859, being an act to provide for the settlement and drainage of the swamp lands by actual settlers.

Mr. Williams gave notice that on some future day he would ask leave to introduce

A bill to appropriate four thousand acres of swamp lands to erect a bridge on the Chicago road across the St. Joseph river, in the county of St. Joseph.

Mr. Tower offered the following :

*Resolved*, That from and including Monday next, the daily sessions of the Senate shall commence at 9 o'clock A. M.

Mr. Ingersoll moved that the resolution be laid on the table; Which motion prevailed.

### THIRD READING.

Senate bill No. 55, being

A bill to amend section 14, of chapter 134, of the compiled laws, entitled of the action of ejectments,

Came up for a third reading, when

Mr. Withey, with the consent of the Senate, moved to amend, by inserting after the word "court." in the eleventh line, the words, "which publication shall be six weeks;

Which motion prevailed.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

### YEAS.

Mr. Adair,  
Backus,  
Baker,

Mr. DeLand,  
French,  
Green,

Mr. Monroe,  
Mulbolland,  
Near,

Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Coulter,

Ingersoll,  
Jones,  
Lacy,  
Lane,  
McDermid,

Stout,  
Wilder,  
Williams,  
Withey,

23

## NAYS.

Mr. Gale,  
Galloway,

Mr. Strickland,

Mr. Tower,

4

The title was agreed to.

Senate bill No. 56, being

A bill to amend sections one, three, four, five, six and seven, of an act entitled an act to incorporate the fire department of the city of Detroit, approved February 14, 1840, and an act amendatory thereto, approved January 14, 1859,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,  
Backus,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,  
Coulter,

Mr. DeLand,  
French,  
Galloway,  
Green,  
Ingersoll,  
Jones,  
Lacy,  
Lane,

Mr. McDermid,  
Monroe,  
Mulholland,  
Near,  
Owen,  
Stout,  
Wilder,  
Withey,

25

## NAYS.

Mr. Gale,

1

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

Senate bill No. 53, being

A bill to amend act 201 of the session laws of 1859, relative to the adulteration of alcoholic liquors,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,  
Backus,  
Baker,

Mr. French,  
Gale,  
Galloway,

Mr. Monroe,  
Mulholland,  
Near,

Baldwin,	Green,	Stout,
Briggs,	Ingersoll,	Strickland,
Brown,	Jones,	Tower,
Butterfield,	Lacy,	Wilder,
Coulter,	Lane,	Williams,
DeLand,	McDermid,	Withey,

27

## NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect, by a vote of two-thirds of all of said Senators.

House bill, entitled

A bill to amend sections 1, 4 and 5, title 2, and section 6, of title 4, and sections 5, 6, 7 and 10, of title 5, also by adding a new section to stand as section 20, and sections 37, 38 and 40, of title 6, of an act to incorporate the city of East Saginaw, approved February 15, 1859,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. Gale,	Mr. Monroe,
Backus,	Galloway,	Mulholland,
Briggs,	Green,	Near,
Brown,	Ingersoll,	Owen,
Butterfield,	Jones,	Stout,
Coulter,	Lacy,	Williams,
DeLand,	Lane,	Withey,
French,	McDermid,	

23

## NAYS.

Mr. Tower,	Mr. Wilder,
------------	-------------

2

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all of said Senators.

Senate bill, entitled

A bill to amend section 2, of an act entitled an act to revise the charter of the city of Grand Rapids, approved February 14, 1857;

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Backus,	Mr. Gale,	Mr. Mulholland,
Baker,	Galloway,	Near,

Briggs,	Green,	Strickland,
Brown,	Jones,	Tower,
Butterfield,	Lacy,	Webb,
Carpenter,	Lane,	Wilder,
Coulter,	McDermid,	Williams,
DeLand,	Monroe,	Withey,
		24

## NAYS.

Mr. French,                      Mr. Ingersoll,                      Mr. Stout,                      3

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all of said Senators.

House bill, entitled

A bill to amend an act entitled an act to incorporate the city of Battle Creek, approved February 3, 1859,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Backus,	Mr. Gale,	Mr. Mulholland,
Baker,	Galloway,	Near,
Baldwin,	Green,	Stout,
Briggs,	Ingersoll,	Strickland,
Brown,	Jones,	Tower,
Butterfield,	Lacy,	Webb,
Carpenter,	Lane,	Wilder,
Coulter,	McDermid,	Williams,
DeLand,	Monroe,	Withey,
French,		28

## NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect, by a vote of two-thirds of all of said Senators.

On motion of Mr. Ingersoll,

The Senate went into executive session.

The executive session closed.

## SPECIAL ORDER.

The hour of twelve having arrived, the Senate proceeded to the election of President *pro tem.*, and the following was the vote :

## FOR JOSEPH R. WILLIAMS.

Mr. Backus,	Mr. French,	Mr. Monroe,
Baker,	Gale,	Mulholland,
Baldwin,	Galloway,	Near,

Briggs,  
Brown,  
Butterfield,  
Carpenter,  
Coulter,  
DeLand,

Green,  
Ingersoll,  
Jones,  
Lacy,  
Lane,  
McDermid,

Stout,  
Strickland,  
Tower,  
Webb,  
Wilder,  
Withey,

27

FOR ELIJAH LACEY.

Mr. Williams,

1

The vote was announced by the Secretary, and the President declared that the Hon. Joseph R. Williams, having received a majority vote of all the Senators elect, was duly elected President *pro tem.* of the Senate.

Mr. Williams therefore addressed the Senate as follows :

*Mr. President and Senators :*

Although this election may be regarded somewhat nominal in its character ; and although I trust none of those contingencies will arise, which an election of a President *pro tempore* of the Senate is designed to meet and anticipate ; yet it would ill become me not to say that I highly appreciate this flattering recognition of myself, so unanimous, as it appears to me. I therefore present my cordial acknowledgments to my brother Senators for the honor they have conferred upon me.

On motion of Mr. Ingersoll,

The Senate then adjourned till Monday morning next.

---

*Lansing, Monday, February 18, 1861.*

The Senate was called to order at 10 o'clock.

Prayer by the Rev. Mr. Gillet.

Roll called : quorum present.

#### PETITIONS PRESENTED.

By Mr. Mulholland : petition of E. J. Boyd, J. R. Rauch and 46 residents of the county of Monroe, praying for the passage of an act in regard to the organization of the University ;

Referred to the committee on public instruction.

By Mr. Tower : petition of J. M. Fuller and 25 others, citizens



of Montcalm county, for a law for the registration of births and deaths;

Referred to the committee on State affairs.

By Mr. Lane: memorial of Joseph Brown, asking an appropriation of \$1000 to improve artillery of the State.

Referred to the committee on militia.

By Mr. Tower: remonstrance of O. C. Ellsworth, Elijah Coffrey and 120 other citizens of Montcalm county, against detaching the town of Pierson, from the county of Montcalm, and attaching the same to the county of Manistee;

Referred to the committee on towns and counties.

By Mr. Tower: remonstrance of Leonard Rossman, E. R. Ellenwood, and 48 others, citizens of the township of Pierson, against the action of their representative in the legislature in trying to have said town detached from Montcalm county and attached to the county of Mecosta, and also the certificate of E. R. Ellenwood, supervisor of said town, for the same purpose;

Referred to the committee on towns and counties.

By Mr. Briggs: petition of E. A. Smith, M. D. Long and 84 others, citizens of Allegan county, asking for a change in the law fixing the duties of notaries public and certain other officers;

Referred to the committee on judiciary.

#### REPORTS OF STANDING COMMITTEES.

By the committee on State affairs :

The committee on State affairs, to whom was referred sundry petitions asking the passage of some law to prevent placing obstructions in the channel of navigable streams, and to prevent fishing with nets and seines at the mouths of creeks and rivers, report herewith two bills in accordance with the prayer of the petitioners.

BYRON G. STOUT, *Chairman.*

The report was accepted, the committee discharged and the bills, entitled

A bill to prevent fishing with nets or seines at the mouth of

creeks and river, and placing any obstructions in the channel of navigable streams of this State; and

A bill to amend act No. 176 of the session laws of 1857;

Read twice, by title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on incorporations :

The Committee on Incorporations, to whom were referred petitions of one thousand or more citizens of Michigan, praying for such legislation, or such alteration of the Constitution, as will secure a State bank and branches, or some general system of banking, adequate to the wants of the State,

Have had the same under consideration, and respectfully submit the conclusions to which they have arrived. Your committee do not propose to discuss the question whether a paper currency is a necessary evil, incident to existing commerce, nor whether the precious metals are the only safe criteria and measures of value, because the mining and conversion of them into coin, has cost as much in human toil as other property and productions, the values of which they represent. Nor will they pause to consider, as a pure question of economy, whether the facilities afforded to commerce by a representative currency, rapidly and safely transported and converted, are sufficient and adequate offsets to the inflations and fluctuation of all values, incident to the circulation of such a medium. Nor will your committee pause to consider other important moral and economical questions involved. As every highly civilized commercial community, if it would participate in all the advantages of modern civilization, must convert to its use, all of those marvellous arts and inventions, vitalized by steam magnetism, and other agencies of modern science, so it must submit to more questionable and less manageable machinery, such as Banking Systems, and to customs, practices and usages, which would be instantly and unanimously repudiated, if now, for the first time, proposed for their adoption. Modern commerce, in its most comprehensive sense, is an unit, and no one State or community can reject one of its chief agencies, without destroying the

equilibrium, and producing mischievous results, more than we can sever a limb from the natural body, and still have it animated by the vital functions necessary to life.

The question of banking and a paper currency, is not before us as an original one, but one which we must meet practically, under all the *existing* circumstances. It is a question which affects the daily wages, the net earnings and accumulations, the comfort and thrift of the individual citizen, as well as the welfare and prosperity of the State. The State of Michigan is destitute of domestic and local currency, adequate to make the exchanges, and to the transaction of the business of her people. She is dependent almost entirely on other States for a circulating medium. When this foreign currency is promptly convertible, there is no great loss and inconvenience, except the loss of the profits of banking, and the pervading inquietude of the people, whose earnings and apparent treasures exist in securities, in the value and convertibility of which they can never have entire confidence, because ignorant of the basis on which they rest. But whenever commercial disasters sweep over the country, then all the various currencies, and each and every different system of banking, becomes more or less the victim of panic. Even perfectly solvent institutions are discredited. Then, each different currency has a different value, and the community destitute of a sound local currency, is flooded with the most depreciated, as long as traders, brokers and sharpers, will deal in it at all. In such crises, the poorest currency displaces the best, as surely as water, poured into oil, will usurp its place, and finally displace it entirely. The losses incident to a fluctuating and depreciated currency, fall upon individuals, in the inverse ratio of their ability to bear it. The ingenious, intelligent and independent, have numerous facilities, for converting quickly, at low rates, what the panic-stricken laborer will exchange for commodities at exorbitant cost, or will sell at ruinous discount, if he desires to hoard his earnings. A commercial community, therefore, that scorns the necessary, though it may be, unnatural machinery, in use in other States,

places in the hands of the rich and the powerful, an undue advantage over the poor, the unfortunate, and the dependent population. The poor are made poorer, and the rich richer, by persistence in refusal to avail ourselves of a necessary agency of modern commerce.

There can be no such entire revolution in opinion, that a *solid* currency will be possible within the lifetime of a generation, or a period of thirty years. Before that time revolves, Michigan will embrace, at the same rate of increase she has exhibited during the last twenty years, two and half millions of people. In any system of banking adopted, Michigan must, therefore, anticipate the wants of such an advancing population. It should be a system capable of expansion with the geographical limits, expanding commerce, and increasing wealth of the State. The States of Ohio and Indiana, have adopted a system of State Bank with branches, in which the expectation of its projectors, and the whole people have been realized. Your committee have no special plan to recommend, but it appears plain to them, that the system finally adopted should be an affiliated one, in which the whole should be made responsible for the parts, and be placed under a central control, vested with unquestioned power, and capacities to interpose and compel at all times, such obedience to the requirements of duty and law, as to save the public from loss and danger. The convertibility of its issues should be rendered sure and prompt. It should be so organized, that the whole community would possess confidence enough in it to receive it in all transactions of business, and feel perfectly safe while temporary earnings were invested in it. Your committee would suggest whether a principal feature of a new system should not be, that after the central controlling power has exhausted its capacity to redeem any floating issues, that the State, in its sovereign capacity, should redeem any still outstanding circulation. If the State dictates a currency by legislation, and if in the highest exercise of its sagacity and wisdom, it fails to protect the people from the abuse of its own creature, and own institution, why, in justice

and equity, should it not save the people from ultimate loss, even at the expense of the common treasury? Should not the State be endorser of the bills?

To create a State Bank of Michigan, or an affiliated system of banking, adequate to the present necessities and rapidly expanding commerce of the State, demands an amendment to the Constitution. While perhaps many of the stringent provisions of the Constitution on the subject may be regarded as wholesome, it contains two sections which present insurmountable barriers to an organization, such as the community seem almost unanimously to demand.

Section 1, Article 15 of the Constitution, says: "Corporations may be formed under general laws; but shall not be created by *special acts*, except for municipal purposes."

Section 4, Article 15, says: "The Legislature shall provide by law for the registry of all bills or notes issued or put in circulation as money, and shall require security to the full extent of notes and bills so registered, in State or United States stocks bearing interest, which shall be deposited with the State Treasurer, for the redemption of such bills or notes in specie."

Your committee recommend such an alteration of the Constitution as would allow the Legislature to create a State Bank or a System of Banking in spite of these provisions. They would not erase them, but leave them, however, as restraints upon unlicensed legislation upon the subject.

It is very clear that no banking corporations, under the present Constitution, can be created by or under any special act of the Legislature. The possibility has been suggested widely, as well as in an elaborate report of one of the committees of this body, that the present Legislature might perfect and pass a law, creating a bank, similar to the Ohio or Indiana system, and submit it to the people simultaneously with an amendment of the Constitution. But such a system can only be called into existence by a special charter defining its duties and bestowing its powers. That special charter it is not now in the power of the

Legislature to pass. Of course what it has no power to pass, it has no power nor right to submit to the people, because it can be only in those cases authorized by the Constitution, that it can submit any law to a vote of the people, and if the Legislature undertook to submit such an act to the people, being void *ab initio*, no vote of the people could infuse it with life, inasmuch as the people have retained no legislative power, but expressly vested it elsewhere. The irresistible conclusion is, that no power exists to create any bank by special act until the Constitution is first amended.

Your committee therefore recommend the adoption of the accompanying joint resolution, entitled

Joint resolution to provide for an amendment of the Constitution so as to authorize the establishment of a State Bank, with Branches, or some General System of banking.

All which is respectfully submitted.

JOS. R. WILLIAMS, *Chairman*.

The report was accepted, the committee discharged, and the joint resolution read twice, by title, and referred to the committee on amendments to the Constitution.

By the committee on internal improvements:

The committee on internal improvements, to whom was re-committed

A bill to amend section 2581, of the compiled laws, being section 4 of an act entitled an act to provide for the collection of tolls, and for the care, charge and operating of the St. Mary's Falls ship canal, approved Feb. 12, 1855,

Have had the same under advisement, and have amended the same by adding thereto in the tenth line of section 4, after the word "day" the following words: "for the space of ten days in each year and no longer," so that it shall read: "The members of said board of control shall receive as compensation for necessary services in going to and from and inspecting said canal, the sum of three dollars per day for the space of ten days in each year and no longer," and so amended your committee

recommend the passage of the bill and ask to be discharged from its further consideration.

J. CARPENTER, *Chairman*.

The report was accepted, the committee discharged, the amendments concurred in, and the bill referred to the committee of the whole, and placed on the general order.

By the same committee :

The committee on internal improvements, to whom was referred

A bill to authorize townships to raise money to drain swamps and marshes,

Have had the same under consideration and have instructed me to report, that in the opinion of this committee the passage of such a law, as the law contemplated by the bill, would be very detrimental to instead of advancing the best interest of the class of citizens intended to be benefitted by the draining of lands ; that it would be taxing the whole for the especial benefit of the few ; that it would be almost impossible to get a fair expression of the people by a viva voce vote at the crowd and bustle of a township election ; that there already exists a law upon our statute books which fully provides for all the rights and privileges needed by those who wish to drain the swamps and marshes of the State.

Your committee have, therefore, instructed me to report back the said bill to the Senate with a recommendation that it do not pass, and ask to be discharged from the further consideration of the subject.

J. CARPENTER, *Chairman*.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole, and placed on the general order.

By the committee on incorporations:

The committee on incorporations, to whom was referred the petition of the members of the Grand Lodge of the Independent Order of Good Templars, asking the passage of a law incorporating said "Grand Lodge of Good Templars," have had the

same under advisement and have instructed me to report against granting the prayer of the petitioners, and in favor of a general law for the organization of all such affiliated societies, and your committee ask to be relieved from all further consideration of the subject.

**J. CARPENTER**, *on behalf of Com.*

The report was accepted, the committee discharged, and the petition laid on the table.

By the committee on claims:

The committee on claims, to whom was referred

Joint resolution for the relief of Preston Mitchell and John L. Mitchell;

Also, their memorial upon the same subject;

Have had the same under consideration, and would respectfully report the same back to the Senate, and recommend that said joint resolution do pass, and ask to be discharged from the further consideration of the subject.

**G. C. JONES**, *Chairman.*

The report was accepted, the committee discharged, and the joint resolution laid on the table.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred the petition of H. S. Tyler and 24 others, citizens of St. Joseph county, praying for an alteration of the highway laws so as to prevent laying roads too near and parallel to each other,

Respectfully report that they have had the same under consideration, that the circumstances are so varied and diversified in different localities that they think it would be unwise for the Legislature to fix any limits within which commissioners should be prohibited from laying roads. They think that the privilege of appeal from the decision of the commissioners to the township board, sufficiently guards and protects the interests of the citizens. The committee therefore recommend that the prayer of the petitioners be not granted, and ask to be discharged from the further consideration of the subject.

All of which is respectfully submitted.

**N. GREEN**, *Chairman.*



The report was accepted, the committee discharged, and the petition laid on the table.

By the same committee :

The committee on roads and bridges, to whom was referred the petition of Comfort Tyler and other citizens of St. Joseph county praying for an alteration of the law relative to the discontinuance of highways, respectfully report that in the opinion of the committee the legislation asked for ought not to be granted, and ask to be discharged from the further consideration of the subject.

All of which is respectfully submitted.

N. GREEN, *Chairman.*

The report was accepted, the committee discharged, and the petition laid on the table.

#### MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Owen,

The report of the committee on incorporations, relative to banking was laid on the table, and 500 extra copies ordered printed for the use of the Senate.

Mr. DeLand introduced following:

*Resolved*, (the House concurring,) That from and after 12 o'clock, noon, on Thursday, the 7th day of March next, the two Houses will transact no business other than for the President of the Senate and the Speaker of the House to sign enrolled bills for the approval of the Governor, and the entry of the same on the journals of the proper Houses by the Secretary and Clerk, and that the day of final adjournment of this Legislature shall be Saturday, the 9th day of March next, at 12 o'clock, noon, of that day.

On motion of Mr. Withey,

The resolution was laid on the table.

Mr. Mulholland, pursuant to notice, introduced

A bill to amend section 59, chapter 6, of the compiled laws, concerning the canvassing of votes at elections;

Which was read twice, by title, and referred to the committee on privileges and elections.

Mr. Gale, previous notice having been given, and leave being granted, introduced

A bill to amend section 56, chapter 78, of the revised statutes of 1846, being section 2999 of the compiled laws, relative to the report of school district boards to supervisors;

Which was read twice, and referred to the committee on public instruction.

Mr. Gale, pursuant to previous notice, introduced

A bill to amend section 10, of chapter 203, of the revised statutes of 1846, being section 6243 of the compiled laws, relative to persons to be sentenced to the reform school;

Which was read twice, and referred to the committee on public instruction.

Mr. Wilder, previous notice having been given, and leave being granted, introduced

A bill appropriating certain swamp lands to open and improve a road leading from Sebewaing, in Huron county, to Watrousville, in Tuscola county, thence south to intersect the Port Huron and Bay City State road;

Which was read twice, and referred to the committee on public lands.

Mr. Gale, previous notice having been given, introduced

A bill to amend section 26, of chapter 101, of the revised statutes of 1846, being section 3064, of the compiled laws, relative to the sale of real estate of deceased persons;

Which was read twice, and referred to the committee on the judiciary.

Mr. Lane, leave being granted, introduced

A bill to amend section 9, of chapter 17, of the compiled laws, relative to assessing property at its true value;

Which was read twice, by title, and referred to the committee on finance.

Mr. Withey, unanimous consent being given, introduced

A bill to amend sections 2014 and 2017 of the compiled laws, in reference to religious societies to authorize the recording of articles of association, and to give the trustees, wardens and

vestrymen authority to execute securities upon church property in certain cases;

Which was read twice, by title, and referred to the committee on incorporations.

Mr. Withey, leave being granted, introduced

A bill to amend section 5800, of the compiled laws, in reference to the crime of polygamy;

Which was read a first and second time and referred to the committee on the judiciary:

Mr. French, previous notice having been given, introduced

A bill to preserve the purity of elections;

Which was read twice, and referred to the committee on privileges and elections.

Mr. Brown, with unanimous consent, introduced

A bill to vacate a part of the village plat of South Haven; in Van Buren county;

Which was read twice, and referred to the committee on incorporations.

Mr. Coulter, leave being granted, introduced

A bill making a grant of swamp lands to promote the early completion of the several land grant railroads in the Upper Peninsula;

Which was read twice, by title, and referred to the committee on public lands.

Mr. Tower, leave being granted, introduced

A bill to lay out a State road from Pewamo, in the county of Ionia, by the way of Matherton, to the center of Isabella county, and appropriating certain swamp lands thereon;

Which was read twice, by title, and referred to the committee on public lands.

Mr. Tower, leave being granted, also introduced

A bill to lay out a State road from Ionia, in the county of Ionia, to Bellevue, in the county of Eaton, and appropriating certain swamp lands thereon;

Which was read twice by title, and referred to the committee on public lands.

Mr. Wilder, pursuant to notice, introduced

A bill appropriating swamp lands for opening and improving a road leading from the Port Huron and Bay City State road, at or near section 23, in township 12 north, range 6 east, to the village of Tuscola, thence to the Goodrich and Lower Saginaw State road, at or near section 9, township 10 north, range 8 east;

Which was read twice, by title, and referred to the committee on public lands.

Mr. Briggs, leave being granted, introduced

A bill to regulate the payment of entry fees in certain cases;

Which was read twice, by title, and referred to the committee on the judiciary.

Mr. Baldwin gave notice that on some future day he would ask leave to introduce

A bill relating to deposit accounts, and to interest, exchange and commissions received or paid by the State Treasurer;

Also,

Joint resolution authorizing the State Treasurer to charge certain items to suspended accounts.

Mr. Jones gave notice that on some future day he would ask leave to introduce

A bill asking for an appropriation of swamp lands, for the purpose of improving the State road leading from the village of Dowagiac, in Cass county, to the village of Berrien, in Berrien county;

Also,

A bill asking an appropriation of swamp lands for the improvement of a road leading from the village of Dowagiac, in Cass county, to the township of Hamilton, in Van Buren county.

Mr. Gale offered the following :

*Resolved*, That the committee on the judiciary be requested to enquire into the propriety of enacting a form for warrant of commitment in criminal cases before justices of the peace, and report to the Senate by bill or otherwise;

Which was adopted.

Mr. Green gave notice that on to-morrow he would ask leave to introduce

A bill to open and improve the State road from Mecosta county to the county seat of Oceana county;

Also,

A bill to lay out and establish a State road from White Lake, in Muskegon county, to the south branch of Pentwater river, in Oceana county, by an appropriation of swamp lands.

On motion of Mr. French;

House bill No. 13 was taken from the table, and ordered to a third reading.

Mr. Owen, leave being granted, introduced

A bill to confirm certain sales of land made by the Commissioner of the State Land Office, August 4th, 1859;

Which was read twice, and referred to the committee on the judiciary.

Mr. Owen, leave being granted, introduced

A bill to repeal section 2556, being section 3, of chapter 83, of the compiled laws, respecting mines and minerals;

Which was read twice, and referred to the joint committee on mines and minerals.

Mr. Backus moved that the committee of the whole be discharged from the further consideration of Senate joint resolutions numbered 9 and 10, and that the same be referred to the joint committee of the two Houses, on amendments to the Constitution;

Which motion prevailed.

#### THIRD READING.

House bill No. 13, being

A bill to provide for the incorporation of associations for the publication of periodicals, newspapers, tracts, documents, and other publications,

Was read a third time, and, a majority of all the Senators elect not voting therefor, the same was not passed, as follows:

## YEAS.

Mr. Backus,  
Baker,  
Baldwin,  
Briggs,

Mr. Brown,  
Butterfield,  
DeLand,

Mr. French,  
Near,  
Withey,

10

## NAYS.

Mr. Adair,  
Coulter,  
Gale,  
Galloway,  
Green,

Mr. Lacy,  
McDermid,  
Monroe,  
Mulholland,  
Owen,

Mr. Stout,  
Tower,  
Webb,  
Wilder,

14

On motion of Mr. Owen,

The vote by which the bill was not passed was reconsidered, and the bill recommitted to the committee on incorporations.

## GENERAL ORDER.

On motion of Mr. DeLand,

The Senate went into committee of the whole on the general order,

Mr. Stout in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report :

The committee of the whole have had under consideration Senate bill No. 57, being

A bill authorizing the transfer by the board of control, of a grant of land made to the State of Michigan by an act of Congress, passed June 3, 1856, to aid in the construction of a railroad from Marquette, on Lake Superior, to the Wisconsin State line, and the re-location of the same,

Have made an amendment thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend its passage.

The committee have also had under consideration, House bill No. 15, being

A bill to repeal an act entitled an act to prevent the adulteration of alcoholic liquors, and to punish all persons who shall sell or offer to sell adulterated liquors and other adulterated beverages, approved February 15, 1859,

And report the same back to the Senate with the recommendation that the same do not pass.

The committee have also had under consideration

A bill to amend an act entitled an act to provide against the recovery of damages done by beasts on lands not enclosed by a lawful fence, approved March 17, 1847, being sec. 628, of the compiled laws,

Have made no amendment thereto, and have directed their chairman to report the same back to the Senate, and recommend its passage.

B. G. STOUT, *Chairman.*

The report was accepted, the committee discharged, and the amendments to the first named bill concurred in.

The first named bill was ordered to a third reading.

The second named bill was laid on the table.

Mr. Tower moved that the third named bill be indefinitely postponed;

Which motion did not prevail.

The bill was ordered to a third reading.

On motion of Mr. Jones,

The Senate took a recess until 2 o'clock P. M.

---

AFTERNOON SESSION.

The Senate was called to order at 2 o'clock.

Roll called: quorum present.

MESSAGES FROM THE OTHER HOUSE.

The President, with the consent of the Senate, announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, February 18, 1861. }

To the President of the Senate:

SIR:—I am instructed by the House to transmit the following entitled bill:

A bill to amend section 6, of chapter 87, of the revised statutes of 1846, being section 3343 of the compiled laws,

Which has passed the House by a majority vote of all the

members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table and the bill read twice, by title, and referred to the committee on State affairs.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, February 18, 1861. }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following entitled bill:

A bill to attach fractional township 17 north, range 9 east, to the township of Caseville, in Huron county;

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill ordered to be enrolled.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, February 18, 1861. }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following bill, entitled

A bill to amend section 3563, of the compiled laws, relative to proceedings in chancery for the foreclosure of mortgages;

And to inform the Senate that the House has receded from its amendment thereto.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*



The message was laid on the table, and the bill ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 18, 1861.* }

*To the President of the Senate :*

SIR:—I am instructed by the House to transmit the following entitled bills:

1. A bill to authorize the conveyance of certain portions of section sixteen, township one south, of range eleven west, in the county of Kalamazoo;

2. A bill to amend section 33, of chapter 109, of the revised statutes of 1846, being section 4648, of the compiled laws, relative to partition of lands owned by several persons;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bills were read twice, by title, and referred to the committee on the judiciary.

GENERAL ORDER.

On motion of Mr. Baldwin,

The Senate went into committee of the whole on the general order,

Mr. Stout in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report :

The committee of the whole have had under consideration Senate bill No. 60, being

A bill to amend an act entitled an act to amend an act entitled an act to revise the charter of the city of Detroit, approved February 5, 1857, approved February 15, 1859 ;

Have made sundry amendments thereto, and have directed

their chairman to report the same back to the Senate, asking concurrence therein, and recommend its passage.

B. G. STOUT, *Chairman*.

The report was accepted, the committee discharged, and the amendments concurred in.

Mr. Baldwin moved further to amend by striking out of the eighth line the word "shall," and insert "may ;"

Which motion did not prevail.

On motion of Mr. Brown,

The bill was ordered to a third reading.

The Senate then adjourned.

---

*Lansing, Tuesday, February 19, 1861.*

The Senate was called to order at 10 o'clock.

Prayer by Rev. Mr. Armstrong.

Roll called : a quorum present.

#### REPORTS OF STANDING COMMITTEES.

By the committee on incorporations :

The committee on incorporations, to whom was referred

A bill for the improvement of the meridian line road from Hudson to the Ohio line,

Have had the same under consideration, and respectfully report the same back to the Senate with section one of said bill amended by the addition of a proviso, that the sanction of the qualified voters shall be obtained of certain townships, on whose inhabitants it is proposed to assess a tax. With this amendment they recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

JOS. R. WILLIAMS, *Chairman*.

The report was accepted, the committee discharged, amendments concurred in, and the bill laid on the table and ordered printed.

By the committee on incorporations :

The committee on incorporations, to whom was referred

A bill to amend section 45, of chapter 52 of the compiled laws, relative to the incorporation of chartered villages,

Have had the same under consideration, and would report the bill back to the Senate without amendment, recommend its passage, and ask to be discharged from the further consideration of the subject.

J. R. WILLIAMS, *Chairman*.

Report accepted, the committee discharged and the bill ordered to a third reading.

By the same committee:

The committee on incorporations, to whom was referred House bill being

A bill to amend an act to incorporate the city of Ann Arbor, approved April 4, 1851;

Have had the same under consideration, and respectfully report the same back to the Senate amended with the addition of a section numbered fifty-seven, providing for the registration of voters in any new ward of the city. With this amendment, they recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

JOS. R. WILLIAMS, *Chairman*.

The report was accepted, the committee discharged, the amendments concurred in, and the bill ordered to a third reading.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred:

A bill to amend section 5860 of the compiled laws, in reference to the crime of polygamy,

Have had the same under consideration, and report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration thereof.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the same committee :

The committee on the judiciary, to whom was referred House bill, No. 63, being

A bill to amend section 33, chapter 109, of the revised statutes of 1846, being section 4648, of the compiled laws, relative to partition of lands owned by several persons,

Have had the same under consideration and would respectfully report the same back to the Senate and recommend that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, the bill referred to the committee of the whole, and placed on the general order.

By the same committee :

The committee on the judiciary, to whom was referred

A bill to authorize the conveyance of certain portions of section 16, township 1 south of range 11 west, in the county of Kalamazoo,

Have had the same under consideration, and would respectfully report the same back to the Senate, and recommend that it do pass.

• All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill referred to the committee of the whole, and placed on the general order.

By the committee on public instruction :

The committee on public instruction, to whom was referred

A bill to repeal act No. 70, of the session laws of 1855, being an act entitled an act to establish teachers' institutes, approved February 10, 1855;

Report that they have had said bill under consideration, and return the same to the Senate, and recommend that it do not pass.

S. L. WITHEY, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the same committee :

The committee on public instruction, to whom was referred

A bill to amend an act entitled an act for the benefit of fractional school district No. 1, of Vassar, and No. 2, of Tuscola,

Report that they have had said bill under consideration, and return the same to the Senate with the recommendation that it do pass.

S. L. WITHEY, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred House bill No. 40, relative to obstructions and encroachments of highways, have had the same under consideration, and respectfully report the same back to the Senate with the recommendation that it do pass.

All which is respectfully submitted.

N. GREEN, *Chairman*.

The report was accepted, the committee discharged, and the bill referred to the committee of the whole, and placed on the general order.

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Ingersoll offered the following :

*Whereas*, It is just and becoming that the American people should ever bear in grateful remembrance the character and actions of those who have stood prominent in a nation for their patriotism and worth, and that their frequent contemplation is a dictate of reason, not only in consonance with the best feelings of our nature, but in the exercise of which the legislator finds his surest chart for the guidance of a nation, and the people gather their richest lessons of instruction ;

*And whereas*, The twenty-second day of February is, the an-

niversary of the birth of George Washington, whose whole life was one continued exemplification of what is pure in purpose and noble in achievement, and whose patriotism and wisdom was manifest in the darkest days of the Republic, leaving a heritage of which we justly feel proud, and to which, as a nation, we may fondly cling amid the excitements and trials that now agitate the country; therefore,

*Resolved*, (if the House of Representatives concur,) That the two Houses of this Legislature will meet in joint convention, on Friday next, the 22d inst., at two o'clock P. M., for the purpose of commemorating the day and having read Gen. George Washington's Farewell Address to the American People; and that the President of the Senate and the Speaker of the House be requested and authorized to make such appointments for the occasion, and extend such invitations as they may deem proper.

Which preamble and resolution were adopted.

Mr. Baldwin, with the consent of the Senate, introduced

A bill relative to deposit account and to interest, exchange and commissions received or paid by the State Treasurer;

Also,

Joint resolution authorizing the State Treasurer to charge certain items to suspended account;

Which bill and joint resolution were read twice, and, the rule being suspended, ordered to a third reading.

Mr. DeLand moved that Senate bill, No. 9, being

A bill to repeal the charter of the Jackson and Michigan Plank Road Company, approved April 3, 1848,

Be taken from the table and ordered to a third reading;

Which motion prevailed.

Mr. Green gave notice that he would to-morrow introduce

A bill to lay out and improve a road from Muskegon river to the North line of Mason county;

Also,

A bill to amend the law relative to the collection and return of taxes.

Mr. Carpenter, leave being granted, introduced

A bill to appropriate certain swamp lands for the building and improving the road and bridges from the village of Blissfield, in Lenawee county, to Ottawa lake in Monroe county;

Which was read twice, by title, and referred to the committee on public lands.

Mr. Williams, previous notice having been given, introduced

A bill appropriating swamp lands for the erection of a bridge over the St. Joseph river, where it is crossed by the Chicago road ;

Which was read twice, by title, and referred to the committee on public lands.

Mr. Jones, leave being granted, introduced

A bill to appropriate certain swamp lands for the building and improvement of a certain road and bridges running north from the village of Dowagiac, in Cass county, between the townships of Silver Creek and Wayne in said county, and also between the townships of Hamilton and Keeler to the territorial road in the county of Van Buren;

Which was read twice, by title, and referred to the committee on public lands.

Mr. Near, leave being granted, introduced

A bill making appropriations of State swamp lands in and for the counties of Wayne and Monroe;

Which was read twice, and referred to the committee on public lands.

Mr. Baker, leave being granted, introduced

A bill to appropriate certain swamp lands for the building and improvement of the meridian line road, from the corporation line of the village of Hudson, in Lenawee county, to the State line between Ohio and Michigan;

Which was read twice, and referred to the committee on public lands.

Mr. Strickland, leave being granted, introduced

A bill making appropriation of swamp land for the relief of James Macroft;

Which was read twice, and referred to the committee on public lands.

Mr. Baker, leave being granted, introduced

A bill to provide for the equal valuation and assessment of property in the village of Hudson;

Which was read twice, and referred to the committee on towns and counties.

Mr. Green, leave being granted, introduced

A bill to provide for the construction of a State road from the north shore of White Lake, in Muskegon county, to the south branch of Pentwater river, in Oceana county;

Which was read twice, and referred to the committee on public lands.

Mr. Green also introduced

A bill to appropriate five thousand acres of swamp land to open and improve the State road from Mecosta county to the county seat of Oceana county.

Which was read twice, and referred to the committee on public lands.

Mr. Green also introduced

A bill to authorize the several townships in the counties of Muskegon, Oceana, Mason and Manistee, to levy taxes for the improvement of harbors and rivers within their respective counties;

Which was read twice and referred to the committee on internal improvement.

Mr. Galloway, leave being granted, introduced

A bill to organize the township of Nottawa;

Which was read twice and referred to the committee on towns and counties.

Mr. Galloway, leave being granted, introduced

Joint resolution authorizing the Commissioner of the State Land office to issue certain certificates of land;

Which was read a first and second time by title, and referred to the committee on State affairs.



Mr. Briggs gave notice that on to-morrow he would ask leave to introduce

A bill to lay out and establish a State road in Van Buren county.

Mr. Coulter, leave being granted, introduced

Joint resolution appointing Francis A. Artault emigrant agent in Paris, France;

Which was read twice, and referred to the committee on internal improvement.

Mr. Baker, leave being granted, introduced

Joint resolution for the relief of Warren Thompson, Sidney Green, John Stuart, Richard Peters, Charles Dean and T. G. Barker;

Which was read twice, and referred to the committee on State affairs.

Mr. DeLand, leave being granted, introduced

A bill to amend section one, of an act entitled an act to authorize the business of banking, approved Feb. 16th, 1857;

Which was read twice, and referred to the committee on incorporations.

Mr. LeLand also introduced

A bill to regulate interest, the loaning of money, to prevent the taking of usury, and to secure persons loaning money against fraud;

Which was read twice, and referred to the committee on finance.

Mr. DeLand also introduced

A bill to appropriate the proceeds of certain swamp land to the reclamation of certain swamp lands in Jackson county;

Which was read twice and referred to the committee on public lands.

Mr. DeLand, previous notice having been given, also introduced

A bill to encourage the mining of coal in the State of Michigan;

Which was read twice, and referred to the committee on mines and minerals.

Mr. French gave notice that he would to-morrow ask leave to introduce

A bill appropriating swamp lands to colleges and academies in this State.

Mr. Jones, leave being granted, introduced

A bill to amend section 3695, of chapter 117, and section 5011, of chapter 152, of compiled laws, concerning affidavits in actions of replevin;

Which was read twice, and referred to the committee on the judiciary.

Mr. Owen, leave being granted, introduced

A bill for the collection of damages sustained by reason of defective bridges on public highways;

Which was read twice, and referred to the committee on the judiciary.

Mr. Baker offered the following :

*Resolved*, The President of the Senate be authorized to employ some suitable professor to interpret to the Senate the report of the Hon. Jas. F. Joy, in yesterday's journal.

The reading of the report being called for, the same was partly read, and the further reading dispensed with.

The resolution was not adopted.

Mr. Withey, unanimous consent being given, introduced

A bill to amend section 4180 and 4182, of the compiled laws, in reference to pleadings and set offs, to authorize demands to be set off;

Which was read twice, and referred to the committee on the judiciary.

Mr. Stout, leave being granted, introduced

A bill to incorporate the city of Pontiac ;

Which was read twice, and referred to the committee on incorporations.

Mr. Carpenter offered the following :

*Resolved*, That it is the opinion of this Senate that no State

swamp lands should be appropriated by this legislature for any purpose, except for the purpose of finishing the State roads contemplated by the law of 1859.

Mr. Tower moved to lay the resolution on the table ;

Which motion prevailed, by the following vote :

## YEAS.

Mr. Adair,	Mr. Coulter,	Mr. McDermid,
Backus,	DeLand,	Mulholland,
Baker,	French,	Near,
Brown,	Lacy,	Williams,
Carpenter,	Lane,	
		14

## NAYS.

Mr. Baldwin,	Mr. Jones,	Mr. Tower,
Butterfield,	Monroe,	Webb,
Gale,	Owen,	Wilder,
Galloway,	Stout,	Withey,
Ingersoll,		
		18

On motion of Mr. Carpenter,

The vote to lay on the table was reconsidered.

The motion to lay on the table prevailed, by the following vote:

## YEAS.

Mr. Baldwin,	Mr. Green,	Mr. Stout,
Briggs,	Ingersoll,	Tower,
Butterfield,	Jones,	Webb,
Coulter,	Lane,	Wilder,
Gale,	Monroe,	Withey,
Galloway,		
		16

## NAYS.

Mr. Adair,	Mr. Carpenter,	Mr. McDermid,
Backus,	DeLand,	Mulholland,
Baker,	French,	Near,
Brown,	Lacy,	Williams,
		18

Mr. DeLand offered the following :

*Resolved*, That the rule requiring the giving of previous notice of the introduction of bills be suspended for the rest of the session;

Which was adopted.

On motion of Mr. Tower,

Senate bill No. 65 was taken from the table.

Mr. Tower then offered a substitute for the bill, entitled  
 A bill to amend section 5 of chapter 20 of the compiled laws,  
 relative to persons liable to work on highways, and making as-  
 sessments therefor;

Which substitute was adopted and laid on the table.

MESSAGE FROM THE OTHER HOUSE.

The President announced the following :

HOUSE OF REPRESENTATIVES, }  
 Lansing, February 19, 1861. }

*To the President of the Senate :*

SIR :—I am instructed to return to the Senate the following  
 bill, entitled

A bill to incorporate the city of Coldwater;

Which the House has amended as follows:

1. By striking out all of section 56;
2. By striking the word "four," in third line, of section 59,  
 and insert the word "five" in place thereof ;
3. By striking out all of section 63;
4. By striking out all of section 65;
5. By striking out all of section 81;

In the passage of which, as amended, the House has concurred, by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take effect on the first day of April next, except sections 44, 70, 71, 72 and 73, which sections, so excepted, have been ordered to take immediate effect; in which amendments made by the House to the body of the bill, and to the number of the sections ordered to take immediate effect, the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table.

The amendments of the House were concurred in, in gross,  
 by the following vote :

## YEAS.

Mr. Adair,	Mr. Coulter,	Mr. Monroe,
Backus,	DeLand,	Mulholland,
Baker,	French,	Near,
Baldwin,	Galloway,	Stout,
Briggs,	Green,	Tower,
Brown,	Ingersoll,	Wilder,
Butterfield,	Lacy,	Withey.
Carpenter,	McDermid,	

23

## NAYS.

Mr. Gale,	Mr. Lane,	
-----------	-----------	--

2

The bill was ordered to be enrolled.

## THIRD READING.

Senate bill, entitled

A bill to amend section 45, of chapter 52, of the compiled laws, relative to the organization of chartered villages,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. Coulter,	Mr. Lane,
Backus,	DeLand,	McDermid,
Baker,	French,	Monroe,
Baldwin,	Gale,	Mulholland,
Briggs,	Green,	Near, ■
Brown,	Ingersoll,	Owen,
Butterfield,	Jones,	Williams,
Carpenter,	Lacy,	Withey,

24

## NAYS.

Mr. Wilder,		
-------------	--	--

1

The title was agreed to.

Senate bill No. 57, being

A bill to authorize the transfer by the board of control, of a grant of land made to this State by an act of Congress, passed June 3, 1856, to aid in the construction of a railroad from Marquette, on Lake Superior, to the Wisconsin State line, and the re-location of the same,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,  
Backus,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,  
Coulter,

Mr. DeLand,  
French,  
Gale,  
Green,  
Ingersoll,  
Jones,  
Lacy,  
Lane,  
McDermid,

Mr. Monroe,  
Mulholland,  
Near,  
Owen,  
Stout,  
Tower,  
Williams,  
Withey,

26

## NAYS.

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

House bill, entitled

A bill to amend an act to incorporate the city of Ann Arbor approved April 4, 1851,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Backus,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,  
Coulter,

Mr. DeLand,  
French,  
Galloway,  
Green,  
Jones,  
Lacy,  
Lane,  
McDermid,

Mr. Monroe,  
Mulholland,  
Near,  
Stout,  
Webb,  
Williams,  
Withey,

23

## NAYS.

Mr. Gale,

Mr. Wilder,

2

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

Senate bill entitled

A bill to amend an act entitled an act to provide against the recovery of damages done by beasts on lands not enclosed by a lawful fence, approved March 17, 1847, being section 628 of the compiled laws,

Came up for a third reading, when

Mr. Tower moved that the bill be recommitted to the committee on agriculture with instructions to strike out section two;

Which motion did not prevail.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Monroe,	
Backus,	French,	Mulholland,	
Baker,	Gale,	Near,	
Baldwin,	Galloway,	Owen,	
Butterfield,	Lacy,	Wilder,	
Carpenter,	Lane,	Williams,	
Coulter,	McDermid,	Withey,	24

## NAYS.

Mr. Briggs,	Mr. Jones,	Mr. Tower,	
Brown,	Green,		5

Mr. Tower moved to amend the title so as to read as follows :

A bill to compel all persons to build and keep in good repair a lawful fence on one side of each imaginary field, (provided another person owns land adjoining,) under the pains and penalty of forfeiting all the crops thereon, for the benefit of the animal creation ;

Which motion did not prevail.

The title was then agreed to.

Senate bill No. 60, being

A bill to amend an act entitled an act to amend an act entitled an act to revise the charter of the city of Detroit, approved February 5, 1857, approved February 15, 1859,

Was read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. Carpenter,	Mr. Mulholland,	
Backus,	French,	Tower,	
Baker,	Lane,	Wilder,	
Brown,	McDermid,		11

## NAYS.

Mr. Baldwin,	Mr. Gale,	Mr. Monroe,	
Briggs,	Galloway,	Owen,	
Butterfield,	Green,	Stout,	
Coulter,	Ingersoll,	Webb,	
DeLand,	Lacy,	Withey,	15

The Senate then adjourned.

*Lansing, Wednesday, February 20, 1861.*

The Senate was called to order at 10 o'clock A. M.

Prayer by Rev. Mr. Armstrong.

Roll called : a quorum present.

PETITIONS PRESENTED.

By Mr. Adair : petition of Henry Zender, Henry D. Ludden, and 13 others, praying that a portion of the 10th ward, of the city of Detroit, be set back to the township of Hamtramck ;

Referred to the committee on incorporations.

By Mr. Baldwin : petition of A. Sheeley, Walton Ingersoll, and others, for some legislative action to settle the rights of the President, Regents and Professors of the University ;

Referred to the committee on public instruction.

By Mr. Bailey : petition of Wm. S. Goodyear, and 76 others, citizens of Barry county, praying for the repeal of the personal liberty laws ;

Which was referred to the committee on federal relations.

REPORTS OF STANDING COMMITTEES.

By the committee on judiciary :

The committee on the judiciary, to whom was referred

A bill to regulate the payment of entry fees in certain cases,

Have had the same under consideration, and would respectfully report the same back to the Senate, and recommend it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the same committee:

The committee on the judiciary, to whom was referred

A bill to amend section 3695, of chapter 117, and section 5011, of chapter 152 of the compiled laws, concerning affidavits in actions of replevin,

Have had the same under consideration, and would respect-



fully report the same back to the Senate, and recommend that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the same committee:

The committee on the judiciary, to whom was referred the petition of E. A. Smith, M. D. Long and 84 other citizens of Allegan, praying for a change of the law authorizing judges and notaries public, to solemnize the rite of marriage,

Have had the same under consideration, and would respectfully report that in the conferring this power on the several judges they can see no objection, but they are unable to perceive the necessity for such change, inasmuch as all ministers of the gospel and justices of the peace are now authorized to perform the ceremony, and in some instances, if not all, the mayors of cities. And your committee can see no necessity for increasing the number of officers authorized to perform that ceremony, nor do they think where each town has four justices, and all ministers of the gospel, stationary or itinerant, are authorized to solemnize this rite, that even the possible convenience of our people can require any increase. Your committee are, however, most clearly of opinion that the extension of this power to notaries would be highly objectionable, from the very fact of the large number of these officers who by any such law would be authorized to solemnize marriage, and by this very number would expose to still greater uncertainty, the execution of existing law in this matter as to certificates, records, and other provisions that are in some manner intended to prevent hasty and imprudent marriages.

Your committee therefore report back the petition, and ask to be discharged from the further consideration of the same.

H. T. BACKUS, *Chairman*.

The report was accepted, the committee discharged, and the petition laid on the table.

By the same committee :

The committee on the judiciary, to whom was referred

A bill to amend section 26, of chapter 101, of the revised statutes of 1846, being section 3064, of the compiled laws, relative to the sale of real estate of deceased persons,

Have had the same under consideration, and would respectfully report the same back to the Senate without recommendation, and ask to be discharged from the further consideration of the same.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole and placed on the general order.

By the same committee :

The committee on the judiciary, to whom was referred

A bill for the collection of damages sustained by reason of defective bridges on public highways,

Have had the same under consideration, and would respectfully report: That they have serious doubts of the justice or even expediency of such a law as that proposed by the bill under consideration, and especially in the new unsettled portions of the country, where from the very sparseness of population and necessities of the settlers in a great measure arises the almost utter impossibility of keeping either road or bridges in such a condition as that the safety of travelers must not in the main depend on their undivided care. Your committee fear that the enactment of any such law would expose our new towns especially to an amount of litigation that would press with too great a weight on them. The existing provisions of the common law are, in the opinion of your committee, sufficient at the present.

Your committee cannot, therefore, recommend the passage of the bill, but they report it back to the Senate without recom-

mendation that the movers of it may have upon it the consideration of those in the Senate better capable to appreciate the wisdom of the application of so stringent a rule, especially to the new portions of the State, and ask to be discharged from the further consideration of the matter.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the same committee :

The committee on the judiciary, to whom was referred

A bill to amend section 4180 and section 4182, of the compiled laws, in reference to pleadings and set offs, and to authorize demands to be set off,

Have had the same under consideration, and would respectfully report the same back to the Senate, and recommend that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the same committee :

The committee on the judiciary to whom was referred

A bill to confirm certain sales of land made by the commissioner of the State land office, August 4th, 1859,

Have had the same under consideration, and would respectfully report the same back to the Senate, and ask to be discharged from the further consideration of the same.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

Report accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the same committee :

The committee on the judiciary, to whom was referred the petition of R. Moyle and 11 others, asking for an act to direct the Judge of the Upper Peninsula to make titles to land in the village of Ontonagon, to actual occupants, as per act of Congress, May 23d, 1844,

Have had the same under consideration, and would respectfully report the same back to the Senate, together with a bill giving effect to the prayer of said petition, and recommend such bill do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bills read twice, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on privileges and elections:

The committee on privileges and elections to whom was referred

A bill to amend section 59, chapter 6 of the compiled laws, concerning the canvassing of votes at elections,

Have had the same under consideration, and report the bill back to the Senate without amendment, and recommend its passage.

O. TOWER, *Chairman.*

The report was accepted, the committee discharged, the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the same committee:

The committee on privileges and elections, to whom was referred

A bill to preserve the purity of elections,

Report that they have had the same under consideration and report the same back to the Senate without amendment, and recommend its passage.

O. TOWER, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties :

The committee on division of towns and counties, to whom was referred House bill, being

A bill to change the name of the town of Fremont, in the county of Alpena,

Report that by referring to the session laws of 1859, page 201, they find an act changing the name of the village of Fremont, in said township, to Alpena. As it seems desirable that the name of the town and village shall be the same, to prevent confusion and errors in the transaction of business, the committee respectfully recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

CHARLES V. DeLAND, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on public instruction:

The committee of the Senate on public instruction, with the corresponding committee of the House of Representatives, to whom was referred sundry petitions signed by more than 1,000 German citizens of Michigan, praying for a grant of swamp land to aid in establishing a "German American Seminary," now organized and located at Detroit, would respectfully report:

That said committees, acting jointly, have taken into consideration the subject of said petitions, and after viewing the questions involved with not a little care, have concluded and agreed to lay before the Legislature some of the reasons why the prayer of the petitioners should be granted, and to recommend favorable action in the premises.

Your committee find that in the spring of 1860, a number of the most intelligent and distinguished German citizens of the United States, met at Chicago and exchanged views in reference to the establishment, in this country, of a seminary upon the Continental or European model, where

instruction should be given in German and English languages alike, and which should be, in many respects, adapted to the wants of the German-American population of this country, and then and there the city of Detroit was fixed upon as the location for such seminary.

The city of Detroit has responded by granting to the seminary a lease of four acres of land for the period of 999 years, on condition that there be erected thereon within five years, buildings worth twenty-five thousand dollars. The Germans of this country are engaged in raising means, by subscription and otherwise, for the establishment and maintenance of the institution—and first and foremost in exertions to establish and put into operation this seminary, are to be found the most eminent German scholars in America—among them are Judge Stallio, of Ohio; Carl Schurz, of Wisconsin; Prof. Duai, and Dr. Salzer, of Massachusetts; Hausareck, of Ohio; and Dr. Kiefer, of Detroit, whose names alone, give the highest character to the enterprise, and will command the confidence of the entire people, in the ultimate success and usefulness of the institution.

Your committee think that Michigan has reason to regard with great favor, this educational enterprise within her borders, and would do well to foster and aid the effort, by that encouragement which will very much tend to place upon a firm footing, a seat of learning that shall prove an honor to the people of Michigan, and in which institution can be educated, as is its design, not only that class of our Germans, but of American students, who now visit the German universities of Continental Europe, to obtain the peculiar advantages not common if ever found in America.

This seminary is what, in Europe, is called a *Gymnasium*, its trustees are composed of equal numbers of German and Americans, its teachers will take the highest rank among scholars, and it will be an *American institution*, where will be taught, English, German, French, Latin and Greek, and

the sciences and other branches, on the German model—a system that is believed not to be surpassed, if equaled, in the world.

There are now fifteen thousand Germans in Detroit, and not less than one hundred and twenty-five thousand in the State, and if this institution is established and fostered, thousands of the most intelligent Germans, who will make our country their home, will be drawn to Michigan, become citizens of our beautiful State, and help to add largely to her increasing population, wealth and greatness.

The German children will attend our common schools, mingle with the American element and become thoroughly *Americanized*, and when they desire to go up and beyond the primary and graded schools of the country, Michigan, in the institution now soliciting aid from this Legislature, will be the place they will seek for higher advantages, and hundreds and thousands, who would otherwise visit the seminaries of Germany, will find their wants supplied in this German-American seminary. The people of the United States have ever regarded with the highest interest, the German immigration to this country; they bring wealth, habits of industry and large intelligence. Michigan has an interest in securing this class of settlers.

Our State has acquired a reputation for liberality in building up and sustaining her educational interests, and the same enlightened liberal policy which has marked our progress thus far, should not give way to narrow-minded and illiberal views towards schools and seminaries of learning.

This institution, in the opinion of the committee, commends itself to the favorable consideration of the people of the State; and, therefore, the committee have instructed me, as their chairman, to report the accompanying act, granting to the "German-American Seminary," at Detroit,

twenty-five thousand acres of State swamp land, and with the recommendation that the same do pass.

S. L. WITHEY,

*Chairman of the Joint Committee.*

The report was accepted, and the committee discharged.

On motion of Mr. Gale,

The report was laid on the table, and five hundred extra copies ordered printed, for the use of the Senate.

The bill, entitled

A bill to grant 25,000 acres of State swamp land to the German American Seminary, of the city of Detroit,

Was read twice, by title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the same committee :

The committee on public instruction have had under consideration a bill to amend section 107, of chapter 78, of compiled laws, in reference to the apportionment of the two mill tax ; respectfully submit for the consideration of the Senate the following report :

The legislature of 1859 wisely increased the school tax from *one mill* on each dollar to *two mills*. This change was designed to do away with the odious rate bill system which was working so much mischief and disorder among the schools, and also to remove the necessity of raising district taxes, almost equally mischievous with rate bills. The effect on our schools has been wholesome. The number of districts reporting no rate bills was increased the first year under this law, from 1202 to 1785, while the average increase in the length of the school terms throughout the State was six-tenths of a month.

But while the general effect of this increase of the school tax has been beneficial, spreading peace and prosperity among many schools heretofore torn with strifes about district taxes or dwindling under the fears of high rate bills, yet the defective distribution of the proceeds of this tax robs the State of no inconsiderable proportion of the ad-



vantages which a better system of apportionment would secure. The moneys raised by the tax are now paid back to the districts in which they were collected, each district receiving again what it paid, without any regard to the number of its children or the wants of its school. The result is that while many districts receive more money than they need, and, in some cases more than they can expend profitably upon their schools, other districts, near by, and in which the people pay their full tax of two mills upon each dollar, are left with a large deficiency to be made up by heavy rate bills or district taxes.

The following facts, gathered from the last annual report of the Superintendent of Ppublic Instruction, and from the Inspectors' reports on file in his office, will illustrate the inequalities of this distribution :

The proceeds of the primary school fund and of the two mill tax fell short of the full amount paid for teachers' wages throughout the entire State for the year 1860, only \$99,409 51. The amount raised by rate bill and district taxes for teachers' wages, including the amount raised for this purpose in cities and union districts, will be less than \$140,000, making over \$40,000 raised in the State more than was needed.

Taking some of the counties at random, the following facts appear :

Washtenaw county reports six townships in which there was received more public money from the primary school fund and two mill tax than was needed to make all the schools in the several townships free. The excess of public money over the entire cost of the schools in these six towns was \$548 38, but by reason of the defective apportionment, several districts in each township were obliged to submit to a rate bill, in addition to the two mill tax which they paid equally with their neighbors. The amount of rate bills in these towns was \$287 22. In the county at large, 61 districts out of 163, report an excess

of public money over the cost of the schools. The cost of all the schools in the county for the year was only \$791 98 more than the public money, (primary school money and taxes for teachers wages,) although the average length of school time was 7.6 months, and yet the rate bills amounted to \$3,940 63, or over \$3,000 more than it need have been, had a better system of apportionment prevailed. One school director in Washtenaw says his district gets money enough to keep a good school thirty months each year.

Oakland reports five of her townships as raising and receiving more public money than was paid in each for teachers' wages. The excess in the five towns was \$282 44, and in these towns several districts were compelled to raise by rate bill \$240 28. Out of 221 districts in the county, 88 report more public money over than their schools cost. The total amount paid for teacher's wages in the county was \$655 87 in excess of public money and taxes raised for this purpose, with an average school term of 7.2 months; but instead of raising this small excess there was levied rate bills to the amount of \$3,169 51.

In Macomb county there were also five townships with an excess of public money in each over the cost of maintaining their schools. This excess in the five towns amounted to \$508 61, and yet feeble districts in these towns, where this excess exists, were obliged to bear, in addition to their two mill tax, the burden of rate bills to the amount of \$317 29. Of the 110 districts in this county, 49 show an excess of public money over the cost of their schools, the average school term being 7.1 months. The public money and school taxes in the county fall short of the wage paid the teachers \$1,085 53, but the amount of rate bills raised by the district was \$1,282 13.

Gratiot, one of the newer counties, out of 14 townships, reports two which each had an excess of public money over the cost of their schools. The excess was only

\$26 29, but in these three towns there was raised by rate bills \$49 87. Out of 56 districts seven report an excess of public money, though the average school term of all the schools was only 4.2 months. The deficiency in public moneys was \$324 37; the rate bills in the county amounted to \$477 41.

The reports of these several counties show that the average school terms of the free schools were full as large as of those having rate bills, so that the necessity for rate bills did not grow out of a longer term of school.

These statements render it evident that a more equitable apportionment of the school taxes is desirable. The general principle on which all our school taxes are based, is that the property of the State may be justly taxed for the education of the children of the State. It is not necessary to establish by any long argument so wise and plain a principle of political economy. With institutions whose great safeguards lie in the intelligence and virtue of the people, every property owner holds his property subject to taxation for the maintenance of that public intelligence and virtue by which his enjoyment of it is promoted and made secure. It is the presence and general good order of society that lends to material possessions most of their value. A farm removed from a civilized and intelligent community into a wilderness, or into the midst of a barbarous and depraved, or even an ignorant and inactive people, would lose, by the transfer, a large share of its worth. It is too plain to need argument, therefore, that property must justly and should cheerfully pay what ever taxes may be necessary to keep society civilized and enlightened.

With this principle established, the committee can see no reason why the taxes raised in any particular school district should be returned to that district. Society and its ties and influences are not limited by districts, nor can it be generally claimed that all the property in the dis-

trict is owned by residents of the district. Evidently the best method of apportionment is that which will support all the schools best, and will, at the same time, rest the burden of their support equally upon all. No one man nor district can rightfully claim exemption from the common burden, and no one can be justly made to bear more than his equitable share of it.

Great difficulties lie in the way of securing a perfectly equitable apportionment of the public school moneys with our present system of school districts. The population of the several towns being unequally distributed over the territory of the township, a portion being gathered into villages or thickly populated clusters, and others scattered sparsely over large farming tracts, it is impossible to make a convenient division of districts which will include an equal number of children in each. And the property is still more unequally distributed, rendering it still more difficult to secure a division into districts of equal wealth.

Now, it is palpable that the expense of maintaining schools is never in the direct ratio of the number of pupils, and much less of the value of the property. The expenses of a school with twenty pupils are nearly the same as those of a school with forty, while the income from any apportionment made equally upon the number of pupils would be only half as much. It is evident that the burden of supporting their schools will always fall most heavily upon the smaller districts. Were these districts always small by their own choice, then it might be just that they should bear the consequences of their folly; but through the inequalities of population before alluded to, it is often impracticable to comprehend more than fifteen or twenty scholars within any convenient territory, and the school census of such district is small from necessity. It is, therefore, due to these feeble districts and an act of sound public policy as well, to relieve them in some way from burdens they are so poorly able to bear. The chil-

dren of the pioneer in the frontier settlements, or the small farmer in the agricultural districts should not be deprived of education nor have added, to the other disabilities of their position, a rate bill so high as nearly to prohibit their attendance upon school.

The difficulties of making a just apportionment has been seriously felt by other States, and many attempts have been made to equalize the burdens of the schools. The plan adopted by New York has commended itself to the judgment of the committee as the most practical, and they have accordingly prepared and herewith present a bill for the amendment of section 107 of the school law under which the two mill tax is levied and apportioned, providing for an apportionment nearly on the New York plan, and which, the committee believes, will obviate much of the inequality of the present system.

The bill provides that the proceeds of the two mill tax shall constitute a township school fund, and shall be considered as belonging to the township for the support of schools therein. After deducting a small amount for the support of libraries, it is provided that two-thirds of the fund be annually apportioned to the districts in proportion of the number of children of legal school ages, and the remaining third shall be divided equally among the several districts in the township, without regard to the size or population of those districts. This apportionment, while relieving to some extent the smaller districts, is still largely in favor of the larger districts, and when taken in connection with the apportionment of the primary school fund which is made on the scholar, offers an ample premium for maintaining large districts.

To meet the case of the union schools which are compelled, in our State, to do the work of academies for the sections in which they are situated, and which are, therefore, required not only to employ more expensive teach-

ers, but to keep longer terms, it is provided that any school employing two or more teachers at the same time, for at least six months of the year, shall be counted as so many schools as there are teachers thus employed. While this will give to these districts no more than they would receive under a simple apportionment on the scholar, it will prevent their being taxed to pay for the support of other districts having less work to do, and less burdens to bear. As most of the cities are single school districts, and as the distribution of population in cities is more equal among the different parts thereof, it has been deemed advisable to exempt them from the obligations of this mode of apportionment.

The requirement upon each district to entitle it to its distributive share of the primary school money, is that it shall have three months of school, taught by a qualified teacher. It is believed that this requirement should be raised to at least four months to entitle any district to its equal share of the one third of the two mill tax. The average length of school terms throughout the State, in 1860, was 6.2 months, while in most of the new counties the average was considerably above 4 months. The committee are of the opinion that it should be the steady aim of the law to increase the length of the annual school terms, until each district in the State maintains a school for at least six months in each year.

But while the amendment proposed will, it is believed, tend greatly to equalize the benefits of the school and render to the feebler districts a most important and much needed aid, without materially affecting the larger districts, the committee are aware that even this plan will fail to remedy the whole difficulty. The unending variety of circumstances of the different districts forbid the discovery of any plan that shall exactly and equitably apply to all cases. It is to be expected, however, that when a system correct in theory shall be adopted, the districts will learn,

in a few years, to accommodate themselves to its provisions.

A nearly perfect cure of all these difficulties of apportionment would be found in the adoption of the township school organization now common in Massachusetts, Pennsylvania and several other States. This organization has so many and such important advantages, and a desire having been expressed for its adoption by a number of the older townships of the State, the committee report also herewith a bill to authorize any township, whose qualified electors may so determine, to organize as a single school district, and to intrust all the schools of such township to a township school board.

S. L. WITHEY, *Chairman.*

The report was accepted, laid on the table and ordered printed; the committee was discharged, and the bill, entitled

A bill to amend section 107 of chapter 78 of compiled laws, in reference to the apportionment of the two mill tax ;

Also, the bill entitled

A bill authorizing the establishment of township school districts,

Were read twice, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on mines and minerals :

The committee on mines and minerals, to whom was referred

A bill to encourage the mining of coal in the State of Michigan ;

Have had the same under consideration, and would respectfully report, that in case this Legislature should pass such a law as asked for, would open the barn door for copper and iron mining companies to ask for a bounty, instead of paying a specific tax.

All of which is respectfully submitted, and ask to be discharged from the further consideration of the subject.

JOS. COULTER, *Chairman.*

The report was accepted, the committee discharged, and the bill laid on the table.

By the same committee :

The committee on mines and minerals, to whom was referred

A bill to repeal section 2556 of chapter 83 of the compiled laws, respecting mines and minerals ;

Have had the same under consideration, and would respectfully report the attached bill, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

All of which is respectfully submitted.

JOS. COULTER, *Chairman.*

The report was accepted, the committee discharged and the bill, entitled

A bill to repeal charter 83, of the compiled laws of 1857, of the interest of the State in mines and minerals,

Adopted as a substitute, and ordered to a third reading.

By the committee on incorporations:

The committee on incorporations, to whom was referred

A bill to amend section one, of an act to authorize the business of banking, approved Feb. 16, 1859,

Respectfully report that they have had the same under consideration. The amendment of the banking law in question, demands an alteration of the Constitution, and inasmuch as a joint committee of the two Houses has been created for the purpose of giving full consideration to any proposed amendments to the Constitution, they report the bill back to the Senate, with a recommendation that it be referred to that more appropriate committee. They ask to be discharged from a further consideration of the subject.

JOS. R. WILLIAMS, *Chairman.*

The report was accepted, the committee discharged, and the bill referred to the joint committee on amendments to the Constitution.

By the same committee :

The committee on incorporations, to whom was referred



A bill to amend sections 2014 and 2017 of the compiled laws, in reference to religious societies to authorize the recording of articles of association, and to give the trustees, wardens and vestrymen authority to execute securities upon church property in certain cases,

Have had the same under consideration and respectfully report the same back to the Senate without amendment, and recommend that the same do pass. They ask to be discharged from a further consideration of the subject.

JOS. R. WILLIAMS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the same committee :

The committee on incorporations, to whom was referred House bill, being

A bill to provide for the incorporation of associations for the publication of books, tracts, documents, and other matters of a religious, historical, literary and educational character;

Have had the same under consideration, and respectfully report the same back to the Senate with a recommendation that it do not pass, without an amendment of section 3, so that it shall read as follows: "Upon compliance with the provisions of the preceding section, such association shall be and is hereby declared a body corporate, empowered to hold and possess so much real estate purchased by it, or that may be given, granted or devised to it as a corporation, in accordance with the provisions of law, at the time such grant or devise shall take effect, as may be necessary for its use and occupation for purposes of business, and personal property not exceeding twenty-five thousand dollars: *Provided*, That all property of such association shall be subject to taxation, and shall be used for no other purpose than in the legitimate business of the association, and to secure the object of its incorporation."

All of which being submitted, they ask to be discharged from a further consideration of the subject.

JOS. R. WILLIAMS, *Chairman*.

The report was accepted, the committee discharged, and the amendments concurred in, and the bill laid on the table.

By the same committee:

The committee on incorporations to whom was referred

A bill to incorporate the city of Pontiac,

Have had the same under consideration, and would report the bill back to the Senate without amendment, recommend its passage, and ask to be discharged from the further consideration of the subject.

J. R. WILLIAMS, *Chairman*.

The report was accepted, the committee discharged, and the bill laid on the table.

By the same committee:

The committee on incorporations, to whom was referred

A bill to vacate a part of the village plat of South Haven, in Van Buren county,

Have had the same under consideration, and respectfully report the same back to the Senate without amendment, and recommend that the same do pass. They ask to be discharged.

JOS. R. WILLIAMS, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee:

The committee on incorporations report

A bill to vacate a part of the village plat of Constantine, in the county of St. Joseph,

And recommend the passage of the same.

All of which is respectfully submitted.

JOS. R. WILLIAMS, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

The committee on enrolled bills, to whom was referred

A bill to provide for the superintendence and care of the Bay City and Tuscola county plank road ;

Also,

A bill to attach fractional township 17 north, range 9 east, to the township of Caseville, in Huron county ;

Also,

A bill to amend section 8563, of the compiled laws, relative to proceedings in chancery for the foreclosure of mortgages ;

Also,

A bill to change the name of the First Congregational Society of the village of Ionia, to "First Presbyterian Society of Ionia ;"

Also,

A bill to extend the time for the collection of taxes in the township of Bingham, in the county of Clinton ;

Also,

A bill to amend an act entitled an act amendatory to the several acts in relation to the Wesleyan Seminary at Albion, and the Albion Female Collegiate Institute, approved February 9th, 1857 ;

Also,

A bill making appropriations for paying the indebtedness incurred by repairing damages done by fire at the State reform school ;

Would respectfully report that they have had the several bills under consideration, and herewith return the same to the Senate correctly enrolled.

H. C. BRIGGS, *Chairman.*

The report was accepted, the committee discharged, and the bills signed and presented to the Governor.

By the committee on State affairs :

The committee on State affairs, to whom was referred

Joint resolution for the relief of Warren Thompson, Sidney Green, John Stuart, Richard Peters, Charles Dean, and T. G. Barker,

Report that they have had the matter under consideration,

and find that the same subject has been at different times before the Legislature and Board of Auditors. The relief contemplated in the resolution is for damages on account of lands taken by the State for track of Michigan Southern Railroad.

Your committee are aware that a rejection of the claims by previous Legislatures, is not necessarily decisive of its merits, but are of the opinion that the passage of the same would encourage on unlimited number of similar claims long since passed upon and rejected.

Your committee therefore, return the joint resolution to the Senate with the recommendation that it do not pass.

BYRON G. STOUT, *Chairman*.

The report was accepted and laid on the table, and the joint resolution referred to the committee on internal improvement.

By the same committee :

The committee on State affairs, to whom was referred House bill No. 61, being

A bill to amend section 6, of chapter 87, of the revised statutes of 1846,

Report that they have had the same under consideration, and herewith return it to the Senate with the recommendation that it do pass.

B. G. STOUT, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to lay out and establish a State road from Tawas city, in Iosco county, to Traverse city, in Grand Traverse county, and to make an appropriation of certain non-resident highway taxes thereon,

Have had the same under consideration, and respectfully report the same back to the Senate without amendment, and recommend its passage.

E. HAZEN, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the same committee :

The committee on public lands, to whom was referred

A bill making appropriation of swamp lands for the purpose of draining certain marshes or swamps in the county of Genesee,

Have had the same under consideration, and respectfully report a substitute therefor, and recommend that it do pass.

EZRA HAZEN, *Chairman.*

The report was accepted, the committee discharged, the substitute adopted, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on militia :

The committee on militia, to whom was recommended

A bill to amend an act entitled an act to provide a military fund in aid of the uniformed volunteer militia, approved February 14, 1859,

Have had the same under consideration, and have amended said bill by adding several sections thereto, and as amended report the same back to the Senate, recommend its passage, and ask to be discharged from its further consideration.

S. F. BROWN, *Chairman.*

The report was accepted, the committee discharged, the amendments concurred in, and the bill laid on the table.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill relative to laying out, altering and discontinuing highways,

Report the same back to the Senate without recommendation.

N. GREEN, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the same committee:

The committee on roads and bridges, to whom was referred,

the petition of C. A. Fletcher, John S. Barry, and 162 others, citizens of Cass and St. Joseph counties, praying for an appropriation of \$3,000, to build a bridge over the St. Joseph river, in the town of Mottville, have had the same under consideration, and in the opinion of the committee, the prayer of the petitioners ought not to be granted. Said bridge is in an old, well settled, and wealthy portion of the State. The tax for building said bridge would not necessarily fall wholly on the township of Mottville, as represented by the petitioners. Under existing laws, the board of supervisors of St. Joseph county may raise by tax on the whole county, or upon a portion of the towns thereof, and in such proportions as to them shall seem just and proper, the necessary amount to build said bridge. But as said bridge is situated very near the line between Cass and St. Joseph counties, and as represented by the petitioners, and others, the two counties are interested in said bridge, your committee would recommend the passage of a law authorizing the board of supervisors of Cass county, to raise by tax upon the whole or a portion of the towns of such county, such sums as they shall deem just and proper, to be applied on such bridge. The committee have prepared a bill for that purpose, and report back the petition with the bill, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

All of which is respectfully submitted.

N. GREEN, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

The committee on mines and minerals reported

A bill to authorize the board of supervisors of Ontonagon county to raise money by tax or otherwise, for the protection and improvement of the harbor at the mouth of Ontonagon river;

Also,

A bill to amend an act incorporating the Boston and Pittsburg mining company;

And recommended their passage.

The bills were read twice, ordered printed, referred to the committee of the whole, and placed on the general order.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Withey, leave being granted, introduced

A bill creating the office of county surveyor, and defining his duties, and to repeal sections 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453 and 454, of the compiled laws ;

Which was read twice, and referred to the committee on the judiciary.

Mr. Withey, leave being granted, introduced

A bill granting swamp lands, and appointing a commissioner, for the purpose of constructing the State road surveyed, laid out and established under the provisions of act No. 70, of the session laws of 1857 ;

Which was read twice, by title, and referred to the committee on public lands.

Mr. Green, leave being granted, introduced

A bill to amend an act entitled act to provide for assessing property at its true value, and for levying taxes thereon, approved February 14th, 1853;

Which was read twice, and referred to the committee on finance.

Mr. Green also introduced

A bill to lay out, establish and improve a road from Muskegon river to the north line of Mason county, and making an appropriation of swamp lands for that purpose ;

Which was read twice, and referred to the committee on public lands.

Mr. Carpenter, leave being granted, introduced

A bill appropriating certain swamp lands for the benefit of Adrian college;

Which was read twice, by title, and referred to the committee on public lands.

Mr. Carpenter also introduced

A bill to amend an act entitled an act to provide for the

draining of swamps, marshes, and other low lands, approved February 17, 1857;

Which was read twice, and referred to the committee on internal improvement.

Mr. Hazen, leave being granted, introduced

A bill to amend an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved Feb. 14, 1853, and an act amendatory thereto, approved February 12, 1855, and an act amendatory thereto approved February 4, 1858 ;

Which was read twice, and referred to the committee on the judiciary.

Mr. DeLand, leave being granted, introduced

A bill for the relief of the State Historical Society;

Which was read twice, and referred to the committee on finance.

Mr. DeLand, leave being granted, also introduced

A bill relative to plank roads;

Which was read twice, and referred to the committee on incorporations.

Mr. DeLand also introduced

A bill to amend chapter 32 of compiled laws, entitled of limited partnerships;

Which was read twice, and referred to the committee on the judiciary.

Mr. DeLand also introduced

A bill to repeal section 3, of an act entitled an act relative to plank road companies, approved February 12, 1855, (compiled laws, paragraph 1934);

Which was read twice, by title, and referred to the committee on incorporations.

Mr. DeLand also introduced

A bill to amend an act entitled an act to incorporate the city of Lansing;

Which was read twice, and referred to the committee on incorporations.



Mr. DeLand also introduced

A bill relative to the letting of contracts by State officers, boards of control, inspectors or commissioners;

Which was read twice, and referred to the committee on the judiciary.

Mr. French, leave being granted, introduced

A bill to amend an act entitled an act disposing of certain grants of land made to the State of Michigan for railroad purposes, approved June 3d, 1856, approved February 14th, 1857;

Which was read twice, and referred to the committee on public lands.

Mr. Briggs, leave being granted, introduced

A bill to lay out and establish a State road in the county of Van Buren;

Which was read twice and referred to the committee on internal improvement.

Mr. Briggs also introduced

A bill to exempt Pine Grove seminary from taxation;

Which was read twice, by title, and referred to the committee on finance.

Mr. Briggs also introduced

A bill to provide for draining State swamp lands in townships 2 north of ranges 15 and 16 west, in Allegan county;

Which was read twice, and referred to the committee on State affairs.

Mr. Adair, leave being granted, introduced

A bill to change a portion of the boundary line between the city of Detroit and the township of Hamtramck, in the county of Wayne,

Which was read twice, by title, and referred to the committee on incorporations.

Mr. Adair also introduced

A bill to amend sections 3993 and 3994, of chapter 119, of the compiled laws, approved February 14, 1853,

Which was read a first and second time, by title, and referred to the committee on the judiciary.

Mr. Adair also introduced

A bill to amend an act to amend chapter 93, of the revised statutes of 1846, entitled of courts held by justices of the peace,

Which was read twice, and referred to the committee on the judiciary.

Mr. Galloway introduced

A bill to authorize the township board of the township of Genoa, in the county of Livingston, to transfer the title of the township burial ground to a corporation;

Which was read twice, and referred to the committee on incorporations.

Mr. Monroe introduced

A bill to repeal an act to furnish the Michigan Journal of Education to the school districts, approved Feb. 14th, 1857;

Which was read twice, and referred to the committee on public instruction.

Mr. Baker introduced

A bill to incorporate the public school of the city of Adrian;

Which was read twice, and referred to the committee on public instruction.

Mr. Bailey introduced

A bill to amend an act entitled an act to provide for laying out a State road in Ionia, Kent and Barry counties, approved February 12th, 1859;

Which was read twice, and referred to the committee on roads and bridges.

Mr. Baldwin introduced

A bill to provide for prosecuting experiments for the discovery of the most economical method of purifying brine used in the manufacture of salt ;

Which was read twice, and referred to the committee on manufactures.

Mr. Ingersoll introduced

A bill to amend an act to incorporate the city of Owosso, approved February 15th, 1859 ;

Which was read twice, and referred to the committee on incorporations.

Mr. Ingersoll also introduced

Joint resolution proposing amendments to section 1, of article 7, of the Constitution of this State, relative to elections ;

Which was read twice, and referred to the committee on federal relations.

Mr. Ingersoll also introduced

A bill to repeal sections 2, 3 and 4, of an act entitled an act to protect the rights and liberties of the inhabitants of this State, approved February 13, 1855 ;

Which was read twice, and referred to the committee on federal relations.

Mr. Ingersoll also introduced

A bill to amend an act entitled an act to amend section 26, of chapter 158, of the revised statutes of 1846, the same being 5735 of the compiled laws of 1857 ;

Which was read twice, and referred to the committee on federal relations.

Mr. Ingersoll also introduced

A bill to amend sections 78 and 120, of chapter 17, of the compiled laws, relative to State tax lands ;

Which was read twice and referred to the committee on finance.

Mr. Ingersoll also introduced

A bill to provide for the construction of a road in Saginaw county ;

Which was read twice, and referred to the committee on public lands.

Mr. Ingersoll also introduced

A bill to amend section 5659 of the compiled laws, relative to fees for publishing legal notices and advertisements ;

Which was read twice, and referred to the committee on printing.

Mr. Williams introduced

A bill to amend an act entitled an act to provide for the drain-

age of swamp lands by actual settlers, being act No. 229 of the session laws of 1859;

Which was read twice, and referred to the committee on public lands.

Mr. Williams also introduced

A bill to repeal act No. 143, session laws of 1859, relative to the University interest fund;

Which was read twice, and referred to the committee on State affairs.

Mr. Jones introduced

A bill appropriating State swamp lands to build and improve the State road leading west from Dowagiac, in Cass county, to the village of Berrien, in Berrien county;

Which was read twice and referred to the committee on public lands.

Mr. Owen introduced

A bill to amend an act entitled an act to encourage the manufacture of salt in the State of Michigan;

Which was referred to the committee on salt interests.

Mr. Withey introduced

A bill to repeal sections 101, 102 and 124, of act No. 32, of the session laws of 1858;

Which was read twice, and referred to the committee on finance.

Mr. DeLand introduced

A bill to provide for something which is very necessary, and which has been forgotten;

Which was read twice, and referred to the committee on printing.

Mr. Stout introduced

Joint resolution to provide for an amendment to the constitution;

Which was read twice, and referred to the committee on State affairs.

Mr. French offered the following :

*Resolved*, That the daily sessions of the Senate during the remainder of the session commence at 9 o'clock A. M.

Which was adopted.

With unanimous consent, the committee on public lands made the following report :

The committee on public lands, to whom was referred the petition of D. W. Sage and others, asking for an appropriation of swamp lands to aid in building a State road from East Saginaw, by Watronsville, to Forrestville,

Respectfully report that they have considered the same, and report a bill for said purpose, in answer to the prayer of said petitioners, and recommend its passage.

E. HAZEN, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

The committee on internal improvements, to whom was referred

Joint resolution appointing Francis A. Artault emigrant agent in Paris, France,

Was discharged from its further consideration, and the same was referred to the committee on State affairs.

#### MESSAGES FROM THE OTHER HOUSE.

The President announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, February 20, 1861. }

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following bills :

1. A bill to organize the township of Rago-che-wun, in the county of Emmett ;
2. A bill to organize the township of Hamlin, in the county of Mason ;
3. A bill to establish the county seat of Mason county ;
4. A bill to organize the township of Wianer ;

5. A bill to attach certain unorganized territory to the county of Iosco ;

6. A bill appropriating certain highway taxes, in the county of Shiawassee, for the improvement of the Corunna and Flushing State road ;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table.

The bills were severally read twice, by title, the first five named referred to the committee on towns and counties, and the last named to the committee on roads and bridges.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, February 20, 1861. }

*To the President of the Senate :*

SIR:—I am instructed by the House to transmit the following entitled bills:

1. A bill to amend section 7, chapter 40, of the revised statutes of 1846, in relation to the sale of the University and Primary School lands, [2450 of the compiled laws ;]

2. A bill to amend section 5 of an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 14, 1853;

3. A bill to amend section 2, of an act entitled an act relative to the costs of proceedings in criminal cases, approved March 13, 1849 :

Which have passed the House by a majority vote of all the members elect, in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the several bills read twice, by title, the first named referred to the committee on public instruction, the second to the committee on finance, and the last to the committee on the judiciary.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, February 19, 1861. }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following entitled bill:

A bill to amend section 837 of compiled laws, relative to the collection and return of taxes;

Which the House has amended by striking out in the first line the figures and words, "837 of the compiled laws," and inserting in lieu thereof the following: "55 of an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 4, 1853."

Also, by striking out all between the word "amended" in the second line, and "read" in the fourth line, and inserting in place thereof the words "so as to."

The House has also amended the title so as to read as follows:

"A bill to amend section fifty-five of an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 14, 1853;"

In the passage of which, as amended, the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of House of Representatives.*

The message was laid on the table, and the amendments concurred in by the following vote :

YEAS.

Mr. Backus,  
Bailey,

Mr. DeLand,  
Hazen,

Mr. McDermid,  
Monroe,

Baker,	Ingersoll,	Near,
Briggs,	Jones,	Stout,
Brown,	Lacy,	Webb,
Butterfield,	Lane,	Williams,
Coulter,		

19

NAYS.

0

The bill was ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 20, 1861.* }

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following bills:

1. A bill to repeal act No. 48, of session laws of 1859, appropriating certain non-resident taxes on a certain road therein mentioned;

2. A bill to change the name of the township of Little Sable, in the county of Mason;

Which have passed the House by a majority vote of all the members elect, in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, the bills read twice, by title, the first named referred to the committee on roads and bridges, and the last to the committee on towns and counties.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 20, 1861.* }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following entitled bill:

A bill making appropriations for the salaries of State officers for the years 1861 and 1862,

Which the House has amended by inserting after the word "office," in line 21, of section 1, the word "State Treasurer's



office, office of the Secretary of State, and office of the Superintendent of Public Instruction;"

Also, by inserting after the word "office" in line 19, of section 2, the words "State Treasurer's office, office of the Secretary of State, and office of the Superintendent of Public Instruction;"

In the passage of which, as amended, the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the amendments were concurred in by the following vote:

YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Monree,	
Backus,	French,	Mulholland,	
Bailey,	Galloway,	Near,	
Baker,	Green,	Owen,	
Baldwin,	Hazen,	Tower,	
Briggs,	Ingersoll,	Webb,	
Brown,	Lacy,	Wilder,	
Butterfield,	Lane,	Williams,	
Coulter,	McDermid,	Withey,	27

NAYS.

0

The bill was ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 20, 1861.* }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following entitled bill :

A bill to authorize the Supreme Court to appoint a crier,

In the passage of which, the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, February 19, 1861. }

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following concurrent resolution:

*Resolved*, (the Senate concurring,) That the Attorney General be authorized to employ counsel, if he shall deem it needful, to aid in the prosecution of John McKinney for embezzlement from the State Treasury, to procure the attendance of witnesses, and to certify the expense thereof to the Board of State Auditors, who shall audit the same, to be paid from the State Treasury upon the warrant of the Auditor General.

Which has passed the House, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the resolution referred to the committee on State affairs.

The Senate took a recess till 7 o'clock in the evening.

#### — EVENING SESSION.

The Senate was called to order at 7 o'clock.

Roll called : quorum present.

Leave of absence for to-morrow was granted to Senator Monroe.

Mr. Backes introduced

A bill to provide for the abatement of suits in chancery in certain cases;

Which was read twice, by title, and referred to the committee on the judiciary.

Mr. Baker introduced

A bill to provide for the abatement of suits in chancery in certain cases;

A bill to provide for the assessment of damages in the case of flowage by mill ponds;

Which was read twice, by title, and referred to the committee on internal improvement.

Mr. Baldwin introduced

A bill to provide for obtaining documents and papers pertaining to the early history of Michigan, and to aid the State Historical Society to publish the same;

Which was read twice, by title, and referred to the committee on public instruction.

Mr. Adair introduced

A bill to attach a portion of the tenth ward in the city of Detroit to the township of Hamtramck, in the county of Wayne;

Which was read twice, by title, and referred to the committee on incorporations.

Mr. Coulter introduced

A bill to organize the unterrified territory in the Upper Peninsula ;

Which was read twice, by title, and referred to the committee on mines and minerals.

Mr. Green introduced

A bill to grant the State swamp lands to the counties in which they are located ;

Which was read twice, by title, and referred to the committee on public lands.

Mr. Stout introduced

A bill to amend act No. 189, of the session laws of 1859 ;

Which was read twice, by title, and referred to the committee on the judiciary.

Mr. Briggs introduced

A bill to repeal the charter of the Allegan and Otsego plank road company ;

Which was read twice, by title, and referred to the committee on incorporations.

Mr. Baldwin introduced

A bill to extend the time for the collection of taxes in the county of Wayne ;

Which was read twice, by title, and referred to the committee on finance.

Mr. Carpenter introduced

A bill to compel railroad companies to pay for certain property destroyed by them, at highway crossings ;

Which was read twice by title, and referred to the committee on incorporations ;

Mr. Coulter introduced

A bill for the purpose of confining the finance committee ;

Which was read twice, by title, and referred to the committee on mines and minerals.

Mr. Owen introduced

A bill to quiet title to lands overflowed by mill-dams, in this State ;

Which was read twice, by title, and referred to the committee on internal improvements.

Mr. Tower offered the following :

*Resolved* (by the Senate, the House concurring,) That the the Secretary of State is hereby authorized to furnish to the clerk of the county of Ionia such a number of copies of the compiled laws as will make up the deficiency to those entitled to them, not to exceed ten copies ;

Which resolution was laid on the table.

#### THIRD READING.

House bill, entitled

A bill to change the name of the town of Fremont, in the county of Alpena,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

#### YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baker,  
Baldwin,

Mr. Coulter,  
DeLand,  
French,  
Gale,  
Galloway,

Mr. McDermid,  
Mulholland,  
Owen,  
Stout,  
Tower,

Brown,  
Butterfield,  
Carpenter,

Lacy,  
Lane,

Webb,  
Wilder,

23

NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect, by a vote of two-thirds of all of said Senators.

Senate bill, entitled

A bill to vacate a part of the village plat of South Haven, in Van Buren county;

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,

Mr. Coulter,  
DeLand,  
French,  
Gale,  
Galloway,  
Lacy,  
Lane,  
McDermid,

Mr. Mulholland,  
Owen,  
Stout,  
Tower,  
Webb,  
Wilder,  
Williams,  
Withey,

25

NAYS.

0

The title was agreed to.

Senate bill, entitled

A bill to vacate a part of the village plat of Constantine, in the county of St. Joseph,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baker,  
Brown,  
Butterfield,  
Carpenter,  
Coulter,

Mr. DeLand,  
French,  
Gale,  
Galloway,  
Lacy,  
Lane,  
McDermid,  
Mulholland,

Mr. Owen,  
Stout,  
Tower,  
Webb,  
Wilder,  
Williams,  
Withey,

23

NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect, by a two thirds vote of all said Senators.

Senate bill, entitled

A bill to repeal chapter 83 of the compiled laws of 1857, of the interest of the State in mines and minerals,

Came up for a third reading, and was laid on the table.

GENERAL ORDER.

The Senate went into committee of the whole on the general order,

Mr. Williams in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report :

The committee of the whole have had under consideration House bill No. 32, being

A bill to provide for publishing the statistics of the State of Michigan, taken by authority of the United States, in the year one thousand eight hundred and sixty;

Also, Senate bill entitled

A bill to exempt sewing machines from levy and sale on executions;

And have instructed their chairman to report the same back with the recommendation that they do not pass.

" The committee have also had under consideration, House bill No. 18, being

A bill to amend an act entitled an act to provide punishment for fraudulently removing or embezzling property under chattel mortgages, approved February 15th, 1859,

And have instructed the chairman to report the same back without amendment, and recommend its passage.

The committee have also had under consideration House bill No. 51, being

A bill to amend sections 8, 9, 16 and 18, of chapter 94, of the revised statutes of 1846, the same being chapter 118 compiled laws,

And have instructed the chairman to report the same back

with sundry amendments, asking concurrence therein, and recommending passage.

The committee have also had under consideration Senate bill No. 62, being

A bill to quiet titles in the county of Kent;

Have made some progress therein, but, not having gone through therewith, have directed their chairman to report that fact to the Senate, and ask leave to sit again.

JOS. R. WILLIAMS, *Chairman.*

The report was accepted and the committee discharged.

On motion of Mr. Stout,

The two first named bills were laid on the table.

On motion of Mr. Brown,

The amendments were concurred in, and the third and fourth named bills were ordered to a third reading.

#### MOTIONS, RESOLUTIONS AND NOTICES.

By unanimous consent, this order of business was resumed.

Mr. Tower introduced

A bill to organize the township of Groveland, in the county of Montcalm;

Which was read twice, by title, and referred to the committee on towns and counties.

Mr. Stout introduced

A bill to amend act No. 187 of the session laws of 1859;

Which was read twice and referred to the committee on the judiciary.

Mr. Gale introduced

A bill to amend act No. 32, of the session laws of 1858, relative to the canceling of deeds by the Auditor General;

Which was read twice and referred to the committee on the judiciary.

Mr. Carpenter introduced

A bill to repeal the charter of the bank of Tecumseh;

Which was read twice and referred to the committee on incorporations.

Mr. Baker introduced.

Joint resolution to remove the capitol after 1866;

Which was read twice and referred to the committee on internal improvement.

The Senate then adjourned until to-morrow morning at 9 o'clock.

---

*Lansing, Thursday, February 21, 1861.*

The Senate was called to order at 10 o'clock.

Roll called : a quorum present.

PETITIONS PRESENTED.

Mr. Baldwin presented the following memorial of the President and Secretary of the State Historical Society, for procuring documents concerning the early history of Michigan :

*To the Hon. the Senate and House of Representatives of the State of Michigan :*

The Historical Society of the State of Michigan respectfully represent, that they were incorporated in the year 1828, organized in \_\_\_\_\_ ; and after many years of inactivity, were re-organized in 1857 ; that our object is to gather together, preserve and illustrate, the rich and interesting materials of our past and passing history ; and that since our re-organization, we have been very successful in collecting a very large number of books, papers, letters, manuscripts, relics and mementoes of various descriptions, many of which are of very great value, as illustrative of our early history, and that many points in that history have been made the subject of careful and laborious research, the fruits of which have been embodied in papers read before our Society, and deposited in its archives. The time and labor spent in these collections, researches and writings, have been purely a work of love, springing from a devotion to the cause of historical research, and without hope of reward, either money or fame.

The Society further represent to your honorable body, that they are entirely without resources, and, without legislative



aid, are unable to pursue those researches, and adopt those measures absolutely essential to the complete and successful accomplishment of the object of our organization.

We need aid for two specific objects :

*First.*—To obtain original letters, documents and other manuscripts, or correct copies thereof, of great value, connected with our early history, to be found in Canada, and especially in Montreal and Quebec. These are known to exist to a considerable extent, partly in private, and partly in public collections. Of those in public collections, copies, only, can be obtained. Many of these manuscripts have recently been seen by our Corresponding Secretary, and of their great interest and value, no doubt remains. Copies of these could be obtained at little more than the mere expense of copying, and if duplicate copies could be prepared—one set for the State Library, and one for the rooms of our Society—their preservation would be would be made certain, and their benefit secured to the public.

*Second.*—It is important for the cause of historical research, and for the prosperity of our Society, that we publish some of our proceedings, original papers and contributions. This, and *this alone*, will put us on an equality with other Historical Societies, and enable us to get their publications by way of exchange, or to maintain our position as a Society.

It will enable us to give the people of this State the patient fruits of our labors, and in doing so will greatly stimulate research into our early history in all parts of the State.

Such books are rather the materials of history than history itself, and can never meet with a large sale. They can only be published by public aid. They ~~are thus~~ published in most of the State. If your honorable body would purchase a few hundred copies of such a publication for distribution and exchange, it would insure its publication, but without ~~some~~ such aid it cannot be done.

In many of the States, the Historical Societies have been aided by direct and liberal annual appropriations. By such liberal aid the Historical Society of Wisconsin has become one

of the established institutions of that State. The aid we ask is of a very trifling character, and even this we would not ask at this time of financial embarrassment, but that delay may be fatal. Some of the Canadian manuscripts are in private hands, and every month's delay greatly increases the danger of their entire loss, while those in the Provincial Library are exposed to great hazard by fire. Then, too, the interests, if not the very existence of the Society, demand that we should give some evidence to the world of the value of our gatherings.

We have a history of very peculiar interest, reaching back almost two hundred years, rich in its romances, terrible in its tragedies, noble in its heroism.

We invoke the aid of the Legislature in the noble work of its preservation.

B. F. H. WITHERELL,  
*President State Historical Society.*

O. B. WILLCOX,  
*Recording Secretary.*

C. I. WALKER,  
*Corresponding Secretary.*

Referred to the committee on public instruction.

By Mr. Bailey: petition of Isaac Messer and 320 others, citizens of Barry county, praying for an appropriation of swamp land to aid in the construction of the State road in Ionia, Kent and Barry counties;

Referred to the committee on roads and bridges.

#### REPORTS OF STANDING COMMITTEES.

By the committee on finance:

The committee on finance, to whom was referred House bill No. 73, being

A bill to amend section 5, of an act to amend an act to provide for assessing property at its true value, and for levying and collecting taxes thereon,

Have had the same under consideration, and instruct me to report the same back to the Senate, and recommend that it do

pass, and ask to be discharged from the further consideration thereof.

H. P. BALDWIN, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on towns and counties :

The committee on the division of towns and counties to whom was referred House bill, being

A bill to establish the county seat of Mason county,

Report in favor of the passage of the bill, and ask to be discharged from the further consideration thereof.

CHARLES V. DELAND, *Chairman*.

The same committee, to whom was referred House bill, being

A bill to organize the township of Wisner,

Report the same back, recommend its passage, and ask to be discharged from its further consideration.

CHARLES V. DELAND, *Chairman*.

The same committee to whom was referred House bill, being

A bill to organize the township of Hamlin, in the county of Mason,

Recommend that the same do pass, and ask to be discharged from the further consideration thereof.

C. V. DELAND, *Chairman*.

The report was accepted, the committee discharged, the bills ordered to a third reading.

By the committee on finance:

The committee on finance, to whom was referred

A bill to extend the time for the collection of taxes in the county of Wayne,

Have had the same under consideration, and respectfully report the same back to the Senate, and recommend that it do pass, and ask to be discharged from the further consideration of the same.

H. P. BALDWIN, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on public lands;

The committee on public lands, to whom was referred

A bill granting the swamp lands to the counties in which they are located,

Respectfully report that they have had the same under consideration and report the same back to the Senate and recommend its passage.

EZRA HAZEN, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on printing :

The committee on printing, to whom was referred

Concurrent resolution for the printing of one thousand copies of the outgoing and incoming Governor's messages in the German language, for the use of the Senate,

Respectfully report that they have discharged that duty and report the documents ready for delivering to the members of the Senate, as contemplated by the resolution.

ELIJAH LACEY, *Chairman.*

The report was accepted and laid on the table.

#### REPORTS OF SELECT COMMITTEES.

By the committee on amendments to the constitution :

*To the Senate and House of Representatives :*

The joint special committee upon amendments to the constitution, to whom was referred the matter to inquire and report what amendments to the constitution were desirable and necessary, and also, several resolutions from each House;

Have had the same under consideration, and would respectfully report, that as the result of their examination of the matter committed to them, the many amendments that would be desirable to make the present constitution subserve the purpose of being a convenient organic law for the government of any well regulated State, would be so numerous as to constitute almost an entire revision of the instrument, which your committee believe, in view of the early time when the question of

revision is to be submitted to the people under the provisions of that instrument, the present Legislature would not be disposed to adopt. Your committee, however, find some points in which they deem it indispensable that amendments should be made, in order to enable the government to proceed with any degree of convenience or success ; to that end, therefore, they herewith report a joint resolution, embracing such amendments as they deem indispensably necessary, and recommend their adoption.

All of which is respectfully submitted.

S. L. WITHEY, *Ch'n Senate Com.*

THOS. W. LOCKWOOD, *Ch'n House Com.*

The report was accepted, the committee discharged, and the joint resolution, entitled

Joint resolution to provide for amendment of article six, section two ; article nine, section one ; article thirteen, section six ; article fifteen, sections one, two and four ; article twenty, section two, of the constitution of the State of Michigan ;

Was read twice, by title, and ordered to a third reading.

The same committee reported back

Joint resolution for an amendment of the constitution,

Without recommendation, and the same was ordered to a third reading.

#### MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Stout,

A bill to incorporate the city of Pontiac,

Was taken from the table and ordered to a third reading.

On motion of Mr. French,

House bill No. 13, being

A bill to provide for the incorporation of associations for the publication of books, tracts, documents and other matters of a religious, historical, literary or educational character,

Was taken from the table and ordered to a third reading.

## THIRD READING.

Senate joint resolution, entitled

Joint resolution authorizing the State Treasurer to charge certain items to suspense account,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## NAYS

Mr. Adair,	Mr. DeLand,	Mr. Monroe,	
Backus,	French,	Mulholland,	
Bailey,	Galloway,	Near,	
Baker,	Green,	Owen,	
Baldwin,	Hazen,	Tower,	
Briggs,	Jones,	Webb,	
Brown,	Lacy,	Wilder,	
Butterfield,	Lane,	Williams,	
Carpenter,	McDermid,	Withey,	27
	YEAS.		0

Title agreed to.

Senate bill, entitled

A bill relating to deposit accounts and to interest, exchange, and commission received or paid by the State Treasurer,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. French,	Mr. Mulholland,	
Backus,	Galloway,	Near,	
Baker,	Green,	Stout,	
Baldwin,	Hazen,	Tower,	
Brown,	Jones,	Webb,	
Butterfield,	Lacy,	Williams,	
Carpenter,	Lane,	Withey,	
DeLand,	McDermid,		23
	NAYS.		0

The title was agreed to.

Senate bill, entitled

A bill to amend an act entitled an act for the benefit of fractional school district No. 1 of Vassar, and No. 2 of Tuscola,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,

Mr. DeLand,  
French,  
Gale,  
Galloway,  
Green,  
Hazen,  
Jones,  
Lacy,  
Lane,

Mr. McDermid,  
Monroe,  
Mulholland,  
Near,  
Stout,  
Webb,  
Wilder,  
Williams,  
Withey,

27

## NAYS.

0

The title was agreed to.

House bill No. 18, being

A bill to amend an act entitled an act to provide punishment for fraudulently removing property under chattel mortgages, approved February 15, 1859,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
DeLand,  
French,

Mr. Gale,  
Galloway,  
Hazen,  
Jones,  
Lacy,  
Lane,  
McDermid,  
Monroe,  
Mulholland,

Mr. Near,  
Owen,  
Stout,  
Tower,  
Webb,  
Wilder,  
Williams,  
Withey,

26

## NAYS.

0

The title was agreed to.

House bill No. 51, being

A bill to amend sections 8, 9, 16 and 18 of chapter 94 of the revised statute of 1846, the same being chapter 118 of the compiled laws, relative to criminal proceedings before justices of the peace,

Came up for a third reading.

Mr. Backus, with the consent, of the Senate moved to amend by reinstating section 18; amending said section by striking out "one hundred" in the third line, and inserting "fifty," and striking out "five" in the fourth line, and inserting "ten,"

Which motion prevailed.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows,

## YEAS.

Mr. Adair,	Mr. French,	Mr. Mulholland,
Backus,	Galloway,	Near,
Bailey,	Green,	Owen,
Baker,	Hazen,	Stout,
Baldwin,	Jones,	Tower,
Briggs,	Lacy,	Webb,
Brown,	Lane,	Wilder,
Butterfield,	McDermid,	Williams,
Carpenter,	Monroe,	Withey,
DeLand,		

28

## NAYS.

Mr. Gale,

1

On motion of Mr. DeLand,

The title of the bill was amended by reinstating the words "and eighteen," and as thus amended, agreed to.

House bill, No. 96, being

A bill to establish the county seat of Mason county,

Came up in this order, and was laid on the table.

House bill, No. 73, being

A bill to amend section five of an act to amend an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved Feb. 14, 1853,

Came up in this order, and was laid on the table.

Senate bill, entitled

A bill to extend the time for the collection of taxes in the county of Wayne,

Was read a third time, and, a majority of all the Senators elect not voting therefor, the same was not passed, as follows:

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Monroe,
Backus,	Galloway,	Tower,
Bailey,	Green,	Webb,
Baldwin,	Lacy,	Withey,
Brown,	Lane,	

14



## NAYS.

Mr. Baker, Briggs, Butterfield, Carpenter,	Mr. French, Gale, Jones, McDermid,	Mr. Mulholland, Stout, Wilder, Williams,	12
---	---	---	----

Mr. DeLand moved that the last vote be reconsidered;

Which motion prevailed.

Mr. Gale moved to lay the bill on the table;

Which motion did not prevail.

The vote being taken on the passage of the bill, the same was not passed, a majority of all the Senators elect not voting therefor, as follows :

## YEAS.

Mr. Adair, Backus, Bailey, Baldwin, Brown, Butterfield,	Mr. DeLand, Green, Hazen, Lacy, Lane,	Mr. Monroe, Owen, Tower, Webb, Withey,	16
--	---	--	----

## NAYS.

Mr. Baker, Briggs, Carpenter, French,	Mr. Gale, Jones, McDermid, Mulholland,	Mr. Near, Stout, Wilder, Williams,	12
--	---	---	----

House bill No. 76, being

A bill to organize the township of Wisner;

Came up for a third reading, when

Mr. Owen moved that it be recommitted to the committee on towns and counties;

Which motion did not prevail.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair, Backus, Bailey, Baker, Baldwin, Briggs,	Mr. DeLand, French, Gale, Galloway, Green, Jones,	Mr. Monroe, Mulholland, Near, Owen, Stout, Tower,
---	--	--

Brown,  
Butterfield,  
Carpenter,

Lacy,  
Lane,  
McDermid,

Webb,  
Wilder,  
Withey, 27

NAYS.

0

The bill was amended, by adding thereto, the words, in the county of Tuscola, and, as thus amended agreed to.

The bill was ordered to take immediate effect by a vote of two-thirds of all the said Senators elect.

House bill, entitled

A bill to organize the township of Hamlin, in the county of Mason,

Was read a third time and, a majority of all the Senators elect not voting therefor, was not passed, as follows:

YEAS.

Mr. Backus,  
Baker,  
Baldwin,  
Brown,  
Butterfield,

Mr. DeLand,  
French,  
Galloway,  
Hazen,

Mr. Lacy,  
McDermid,  
Near,  
Tower,

12

NAYS.

Mr. Briggs,  
Carpenter,  
Green,  
Jones,

Mr. Lane,  
Monroe,  
Mulholland,  
Owen,

Mr. Stout,  
Webb,  
Wilder,

11

On motion, the vote was reconsidered, and the bill was laid on the table.

Senate bill, entitled

A bill to provide for the incorporation of associations for the publication of periodicals, newspapers, books, tracts, documents, and other publications,

Was read a third time and, a majority of all the Senators elect not voting therefor, not passed, as follows:

YEAS.

Mr. Backus,  
Bailey,  
Baker,  
Baldwin,  
Briggs,  
Brown,

Mr. Butterfield,  
DeLand,  
French,  
Green,  
Hazen,

Mr. Lacy,  
McDermid,  
Owen,  
Williams,  
Withey,

16

## NAYS.

Mr. Adair,  
Carpenter,  
Gale,  
Galloway,  
Jones,

Mr. Lane,  
Monroe,  
Mulholland,  
Near,

Mr. Stout,  
Tower,  
Webb,  
Wilder,

13

Senate bill, entitled

A bill to incorporate the city of Pontiac,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,  
DeLand,

Mr. French,  
Gale,  
Galloway,  
Green,  
Hazen,  
Lacy,  
Lane,  
McDermid,  
Monroe,

Mr. Mulholland,  
Near,  
Owen,  
Stout,  
Tower,  
Webb,  
Wilder,  
Williams,  
Withey,

28

## NAYS.

Mr. Jones,

1

The title was agreed to.

Senate joint resolution, entitled

Joint resolution, to provide for amendments of article 6, sections 2 and 3 ; article 9, section 1 ; article 13, section 6 ; article 15, section 1, 2 and 4 ; article 20, section 2, of the Constitution of the State of Michigan,

Came up for a third reading, and

On motion of Mr. DeLand,

Was laid on the table and ordered printed in the journal, as follows:

**JOINT RESOLUTION** to provide for amendments of article six, sections two and three; article nine, section one; article thirteen, section six; article fifteen, sections one, two and four; article twenty, section two, of the constitution of the State of Michigan.

*Resolved by the Senate and House of Representatives of the State of Michigan, That the following amendments be and the same*

are hereby proposed to the constitution of the State of Michigan, that is to say:

That section two of article six be amended so as to read as follows:

Sec. 2. For the term of six years and thereafter, until the Legislature otherwise provide, the judges of the several circuit courts shall be judges of the supreme court, four of whom shall constitute a quorum. A concurrence of three shall be necessary to a final decision. After six years, the Legislature may provide by law for the organization of a supreme court, with the jurisdiction and powers described in this constitution, to consist of one chief justice, three associate justices, to be chosen by the electors of the State. Such supreme court, when so organized, shall not be changed or discontinued by the Legislature for eight years thereafter. The judges thereof shall be so classified that but one of them shall go out of office at the same time. Their term of office shall be eight years: *Provided*, The Legislature may, in its discretion, at any time increase the number of judges to five, in which case the term of office shall be ten years; and the Legislature shall so classify the said five judges as that but one judge shall go out of office at the same time.

That section 3 of article 6 be amended so as to read as follows:

Sec. 3. The supreme court shall have a general superintending control over all inferior courts, in such manner as the Legislature may prescribe, and shall also have power to issue writs of error, habeas corpus, mandamus, quo warranto, procedendo, and other original and remedial writs, and to hear and determine the same. In all other cases it shall have such appellate jurisdiction only as the Legislature may prescribe.

That section 1, of article 9, of the Constitution, be amended so as to read as follows:

Sec. 1. The Governor shall receive an annual salary of \$1,000. The judges of the circuit court shall each receive an annual salary of \$1,500. The State Treasurer shall receive an annual salary of \$1,000. The Auditor General shall receive an

annual salary of \$1,000. The Superintendent of Public Instruction shall receive an annual salary of \$1,000. The Secretary of State shall receive an annual salary of \$800. The Commissioner of the Land Office shall receive an annual salary of \$800. The Attorney General shall receive an annual salary of \$800. They shall receive no fees or perquisites whatever, for the performance of any duties connected with their office. But the Legislature may at any time after the first day of January, 1862, increase the salaries of the above named officers, not to exceed double the above amounts, to take effect after the expiration of the terms of office of those then holding said offices respectively.

That section 6, of article 13 of said Constitution, be amended so as to read as follows:

Sec. 6. There shall be elected in each judicial circuit, a regent of the University, whose term of office and time of election shall be prescribed by the Legislature.

That section 1, of article 15 of said Constitution, be amended so as to read as follows:

Sec. 1. Corporations may be formed under general laws, but shall not be created by special laws, except for municipal or banking purposes. All laws passed pursuant to this section may be amended, altered or repealed.

That section two, article fifteen of said constitution be so amended as to read as follows :

Sec. 2. The Legislature shall pass no banking law or law for banking purposes or amendments thereof without the assent of two-thirds the members elect to each House.

That section four, article fifteen, of said constitution be stricken out of the constitution.

That section two, of article twenty, of said constitution be so amended as to read as follows:

Sec. 2. At the general election to be held in the year one thousand eight hundred and sixty-six, and in each sixteenth year thereafter, and also at such other times as the Legislature

may by law provide, the question of the general revision of the constitution shall be submitted to the electors qualified to vote for members of the Legislature, and in case a majority of the electors, so qualified, voting at such election, shall decide in favor of a convention for such purpose, the Legislature, at the next session, shall provide by law for the election of such delegates to such convention. All the amendments shall take effect at the commencement of the year after their adoption.

The above amendments to the constitution shall be submitted to the people at the next general election, as provided in section one, of article twenty of the constitution, which said election will be held on the first Monday of April next, for a judge of the supreme court; and the Secretary of State is hereby required to give notice of the same, as soon as may be, by transmitting to the sheriff of each organized county by mail or otherwise, a notice in writing or a printed circular, containing a brief statement of the several amendments hereby proposed, showing the nature of the several amendments; which sheriffs severally are hereby required, as soon as may be, after the receipt of such notice; to cause a notice in writing or printed to be delivered to the township clerk of each township, and to one of the inspectors of elections in each ward in any city; which notice shall contain in substance the notice so received by such sheriff; and the inspectors of election in the several townships and cities of the State, shall prepare a suitable ballot box for the reception of ballots cast for and against said amendments. Each person voting for such amendments shall have written or printed on his ballot the words:

Amendment as to Supreme Court.

Amendment as to Salaries.

Amendment as to Regent of University.

Amendment as to Banks.

Amendment as to taking effect of amendments, Yes.

And those voting against said amendments—

Amendment as to Supreme Court.

Amendment as to Salaries.

Amendment as to Regent of University.

Amendment as to Banks.

Amendment as to taking effect of amendments, No.

Any voter may vote either for or against all or either of said amendments, as he shall have the whole or a part of said amendments designated on his ballot, the ballot shall in all respects be received and canvassed, and the result thereof declared as the votes for a judge of the supreme court are required to be canvassed and declared.

Senate joint resolution, entitled

Joint resolution to provide for an amendment of the Constitution,

Also came up for a third reading, and was laid on the table and ordered printed in the journal, as follows:

**JOINT RESOLUTION** to provide for an amendment of the Constitution.

*Resolved, by the Senate and House of Representatives of the State of Michigan,* That the following amendment to the Constitution of this State be and the same is hereby proposed, to stand as section 47 of article 4:

The Legislature shall not pass any act authorizing the grant of license for the sale of ardent spirits or other intoxicating liquors, for a less sum than \$300 dollars.

Said amendment shall be submitted to the people of this State at the next general election, and the Secretary of State is hereby required to give notice of the same to the sheriffs of the several counties in this State, in the same manner that he is now by law required to do, in case of an election of Governor and Lieutenant Governor, and the inspectors of election in the several towns and cities in this State shall prepare a suitable box for the reception of ballots cast to and for said amendments. Each person voting for said amendment, shall have written or printed on his ballot the words, "Amendment relative to granting license," "Yes," and each person voting against said amendment, the words "Amendment relative to granting license," "No."

The ballots shall, in all respects, be canvassed and returns be made as in elections of Governor and Lieutenant Governor.

The special joint committee on amendments to the Constitution, to whom was referred

Joint resolution to submit an amendment of section 40, of article 4, of the Constitution,

Report that they have had the same under consideration, and return the same to the Senate without recommendation.

S. L. WITHEY, *Chairman.*

MESSAGES FROM THE OTHER HOUSE.

The President announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 21, 1861.* }

*To the President of the Senate :*

SIR :—I am instructed to return to the Senate the following concurrent resolution:

*Whereas*, It is just and becoming that the American people should ever bear in grateful remembrance the character and actions of those who have stood prominent in a nation for their patriotism and worth, and that their frequent contemplation is a dictate of reason, not only in consonance with the best feelings of our nature, but in the exercise of which the legislator finds his surest chart for the guidance of a nation, and the people gather their richest lessons of instruction ;

*And whereas*, The twenty-second day of February is the anniversary of the birth of George Washington, whose whole life was one continued exemplification of what is pure in purpose and noble in achievement, and whose patriotism and wisdom was manifest in the darkest days of the Republic, leaving a heritage of which we justly feel proud, and to which, as a nation, we may fondly cling amid the excitements and trials that now agitate the country; therefore,

*Resolved*, (if the House of Representatives concur,) That the two Houses of this Legislature will meet in joint convention, on Friday next, the 22d inst., at two o'clock P. M., for the purpose of commemorating the day and hearing read Gen. George



Washington's Farewell Address to the American People; and that the President of the Senate and the Speaker of the House are authorized to make such appointments for the occasion, and extend such invitations as they may deem proper;

Which the House has amended by striking out the word "Gen.", in the fourth line of the resolution.

In the passage of which, as amended, the House has concurred.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the amendment concurred in.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, February 20, 1861. }

*To the President of the Senate:*

Sir:—I am instructed by the House to transmit the following entitled bill:

A bill to amend an act entitled an act to provide for the settlement and drainage of swamp lands by actual settlers, being act No. 229, of session laws of 1859.

Which has passed the House by a majority vote of all the members elect, in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table and the bill read twice, by title, and referred to the committee on public lands.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, February 20, 1861. }

*To the President of the Senate:*

Sir:—I am instructed to return to the Senate the following entitled bill:

A bill to change the name of the village of Willow Creek, in the county of Huron, to Huron City;

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill ordered to be enrolled.

Also the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, February 20, 1861. }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following bill, entitled

A bill to provide for the continuance of the State geological survey;

Which the House has amended by striking out all of the second section after the words "the same" in line three.

In the passage of which, as amended, the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the amendment concurred in by the following vote:

YEAS.

Mr. Adair,  
Backus,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
DeLand,  
French,

Mr. Gale,  
Galloway,  
Green,  
Hazen,  
Lacy,  
Lane,  
McDermid,  
Monroe,

Mr. Mulholland,  
Near,  
Owen,  
Stout,  
Tower,  
Wilder,  
Williams,  
Withey,

NAYS.

The bill was ordered enrolled.

Also the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, February 20, 1861. }

To the President of the Senate:

SIR:—I am instructed to return to the Senate the following joint resolution entitled:

Joint resolution relative to the Agricultural College;

Which the House has amended by striking out all after the word "postponed," in next to the last line, and inserting "until the 20th day of next March," in lieu thereof.

In the passage of which, as amended, the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table.

Pending the question of concurring in the amendment of the House,

Mr. Williams moved, as a substitute therefor, to insert after the word "postponed," in the third line, the words "till such time as the board in control of the institution, at the adjournment of the Legislature, shall determine;"

Which substitute prevailed by the following vote:

#### YEAS.

Mr. Backus,	Mr. French,	Mr. Mulholland,
Bailey,	Gale,	Near,
Baker,	Galloway,	Owen,
Briggs,	Green,	Stout,
Brown,	Hazen,	Tower,
Butterfield,	Lacy,	Wilder,
Carpenter,	McDermid,	Williams,
DeLand,	Monroe,	Withey,

24

#### NAYS.

Mr. Lane,

1

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, February 20, 1861. }

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following bill:

A bill to establish a mining school in the Upper Peninsula;  
Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill read twice and referred to the committee on public instruction.

The Senate took a recess until half-past 2 o'clock P. M.

---

AFTERNOON SESSION.

The Senate was called to order at half-past 2 o'clock.

Roll called: quorum present.

REPORTS OF STANDING COMMITTEES.

The Senate resumed business in this order.

By the committee on judiciary:

The committee on the judiciary, to whom was referred House bill No. 64, being

A bill to amend section 2 of an act entitled an act relative to the costs of proceedings in criminal cases, approved March 13, 1849,

Have had the same under consideration, and would respectfully report the same back to the Senate, and recommend that it do pass.

: All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill referred to the committee of the whole and placed on the general order.

By the same committee :

The committee on the judiciary, to whom was referred

A bill to amend chapter 32 of compiled laws, entitled of limited partnerships.

Have had the same under consideration, and would respectfully report the same back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, the bill ordered printed, referred to the committee of the whole and placed on the general order.

By the same committee :

The committee on the judiciary, to whom was referred

A bill to amend sections 3993 and 3994, of chapter 119, of the compiled laws,

Have had the same under consideration, and would respectfully report that the bill purports to provide for the appointment of an additional circuit court commissioner for the county of Wayne, to be appointed by the Governor, to hold office under such appointment until the first day of February, 1863, and that at the general November election in 1863, and every two years thereafter, there shall be elected three circuit court commissioners for said county. The first of said proposed measures, your committee deem wholly incompetent, as conflicting with the provisions of the Constitution requiring such officers to be elected ; and the second your committee deem uncalled for by any evidence in their possession, requiring such increase of officers ; and more, there is now pending before the legislature, as your committee are advised, a bill, proposing an increase of those officers, to be elected as required by the Constitution.

Your committee therefore report back said bill, with the recommendation that it do not pass.

All of which is respectfully submitted.

The report was accepted, the committee discharged, and the bill laid on the table.

Mr. Tower, with unanimous consent, presented the remonstrance of W. H. Nelson, Samuel Smith and 60 others, citizens of Isabella county, against the organization of any towns in said county by the legislature ;

Referred to the committee on towns and counties.

On motion of Mr. Withey,

Senate joint resolution No. 8 was made the special order for Tuesday next, at 2 o'clock.

#### GENERAL ORDER.

On motion of Mr. Withey,

The Senate went into committee of the whole on the general order,

Mr. Brown in the chair.

After some time spent therein, the committee rose, and through their chairman, made the following report :

The committee of the whole have had under further consideration

Senate bill No. 62, being

A bill to quiet title in the county of Kent ;

Also, Senate bill No. 63, being

A bill relative to the arrest and surrender of fugitives from justice ;

Also, Senate bill No. 67, being

A bill to amend section 3, of an act entitled an act to define the limits, jurisdiction and powers of circuit courts, approved April 8, 1851, being section 3413 of compiled laws ;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee have also had under consideration

Senate bill No. 68, being

A bill to repeal act No. 257, of the session laws of 1859, entitled an act authorizing the commissioners of highways of

townships to establish water-courses, and locate ditches in certain cases, approved February 15th, 1859,

Also House bill No. 63, being

A bill to amend section 33, chapter 109, of the revised statutes of 1846, being section 4648 of compiled laws, relative to partition of lands owned by several persons,

And report the same back, without amendment, recommending their passage.

The committee have also had under consideration

Senate bill No. 68, being

A bill to amend section 18, of chapter 175, of the compiled laws, in relation to fees of jurors,

And report the same back, with sundry amendments, and recommend that it do not pass.

Also, Senate bill No. 71, being

A bill to amend sections 11 and 127, of chapter 117 of the compiled laws;

And have struck out all after the enacting clause.

S. F. BROWN, *Chairman.*

The report was accepted, the committee discharged, and the amendments and recommendations concurred in.

The five first named bills were ordered to a third reading;

The sixth named bill was recommitted to the committee on the judiciary, and the enacting clause of the last named bill laid on the table.

On motion of Mr. Tower,

The vote concurring in the recommendation of the committee of the whole, striking out all after the enacting clause of the last named bill was reconsidered, and the bill recommitted to the committee on the judiciary, with instructions to strike out the last section.

The Senate then adjourned.

*Lansing, Friday, February 22, 1861.*

The Senate was called to order at 9 o'clock.

Prayer by Rev. Mr. Gillet.

Roll called : a quorum present.

Leave of absence was granted to Senators Backus, Ingersoll and Tower.

PETITIONS PRESENTED.

By Mr. Mulholland : petition of T. A. Hathaway, William Hathaway and 60 others, of the township of Erie, county of Monroe, asking for an appropriation of swamp lands for improving a road from the village of Vienna, to the Ohio State line ;

Referred to the committee on public lands.

By Mr. Owen : memorial of the officers and executive committee of the Oakland County Agricultural Society, against the repeal of the act appropriating money for the support of the County and State Agricultural Societies ;

Referred to the committee on agriculture.

By Mr. Baldwin : petition of Robert W. Davis, S. E. Beach and others, for the passage of House bill No. 45, providing for the repeal of the present boat and vessel law ;

Also, of O. Wilcox, E. Trowbridge and others, for the same ;  
Which were referred to the committee on the judiciary.

By Mr. Williams : remonstrance of S. C. Coffinberry and others, against embracing certain territory in the village of Constantine ;

Referred to the committee on incorporations.

REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary :

The committee on the judiciary, to whom was referred

A bill to create the office of county surveyor and to repeal sections 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453 and 454, of compiled laws ;

Have had the same under consideration, and would respect-



fully report the same back to the Senate, and recommend that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the same committee :

The committee on the judiciary, to whom was referred

A bill to amend an act entitled an act to amend chapter 22, of the revised statutes of 1846, entitled of courts held by justices of the peace,

Have had the same under consideration, and would respectfully report that in the opinion of your committee the existing law is sufficient for the purposes contemplated in the bill, and accordingly return the same to the Senate with recommendation that it do not pass, and ask to be discharged from the further consideration of the same.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill laid on the table.

By the same committee :

The committee on the judiciary, to whom was referred

A bill to amend an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 14, 1853, and an act amendatory thereto, approved February 12, 1855, and an act amendatory thereto, approved February 4, 1858;

Have had the same under consideration, and would respectfully report, that in the opinion of your committee the subject matter contained in said bill more appropriately belongs to the committee on finance. Your committee would, therefore, re-

commend its reference to said committee, and ask to be discharged from the further consideration of the matter.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman*.

The report was accepted, the committee discharged, and the bill referred to the committee on finance.

By the committee on internal improvements :

The committee on internal improvements, to whom was referred

A bill to amend an act entitled an act to provide for the drainage of swamps, marshes, and other low lands, approved February 17, 1837,

Have had the same under consideration, and have instructed me to report the same back without amendment, and recommend that the same do pass, and ask to be discharged from the further consideration of the subject.

J. CARPENTER, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on incorporations:

The committee on incorporations, to whom was referred

A bill for the relief of the State Historical Society,

Find that another bill on the same subject, has been referred to the committee on public instruction, and request that this bill take the same direction, and be referred to that committee. They ask to be discharged.

JOS. R. WILLIAMS, *Chairman*.

The report was accepted, the committee discharged, and the bill referred to the committee on public instruction.

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. DeLand moved to take from the table

A bill to exempt from taxation the lands belonging to incorporated colleges and academies,

And that the bill be ordered printed, placed on the general order, and referred to the committee of the whole.

Which motion prevailed.

Mr. DeLand moved that

Joint resolution for the relief of Preston Mitchell and J. L. Mitchell,

Be taken from the table, and, placed on the order of third reading ;

Which motion prevailed

On motion of Mr. DeLand,

House bill, entitled

A bill to organize the township of Hamlin, in the county of Mason,

Was taken from the table, and ordered to a third reading.

Mr. Baldwin moved to take from the table House bill No. 73, and place it upon the order of third reading.

Which motion prevailed.

#### THIRD READINGS.

Senate bill No. 63, being

A bill relative to the arrest and surrender of fugitives from justice;

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

#### YEAS.

Mr. Adair,  
Bailey,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,  
DeLand,

Mr. French,  
Gale,  
Green,  
Hazen,  
Jones,  
Lacy,  
Lane,  
McDermid,  
Monroe,

Mr. Mulholland,  
Near,  
Owen,  
Stout,  
Webb,  
Wilder,  
Williams,  
Withey,

26

#### NAYS.

0

The title was agreed to.

Senate bill No. 66, being

A bill to repeal act No. 257, of the session laws of 1859, entitled an act authorizing the commissioners of highways of townships to establish water-courses and locate ditches in certain cases, approved February 16, 1859,

Came up for a third reading, when

Mr. Owen moved that the bill be committed to a special committee of three;

Which motion prevailed.

The President appointed Senators Owen, Carpenter and Mulholland said committee.

Senate bill No. 67, being

A bill to amend section 3 of an act entitled an act to define the limits, jurisdiction and powers of circuit courts, approved April 8, 1851, being section 3418 of compiled laws,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

YEAS.

Mr. Adair,	Mr. French,	Mr. Monroe,	
Bailey,	Gale,	Mulholland,	
Baker,	Galloway,	Near,	
Baldwin,	Green,	Owen,	
Briggs,	Hazen,	Stout,	
Brown,	Jones,	Webb,	
Butterfield,	Lacy,	Wilder,	
Carpenter,	Lane,	Williams,	
DeLand,	McDermid,	Withey,	27

NAYS.

0

The title was agreed to.

House bill No. 63, being

A bill to amend section 33, chapter 109, of the revised statutes of 1846, being section 4648 of compiled laws, relative to partition of lands owned by several persons,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

YEAS.

Mr. Adair,	Mr. French,	Mr. Monroe,	
Bailey,	Gale,	Mulholland,	
Baker,	Galloway,	Near,	
Baldwin,	Green,	Owen,	
Briggs,	Hazen,	Stout,	
Brown,	Jones,	Webb,	
Butterfield,	Lacy,	Wilder,	
Carpenter,	Lane,	Williams,	
DeLand,	McDermid,	Withey,	27

NAYS.

0

The title was agreed to.

Senate bill No. 62, being

A bill to quiet titles in the county of Kent;

Came up for a third reading, and

On motion of Mr. Withey,

Laid on the table.

Senate joint resolution, entitled

Joint resolution for the relief of Preston Mitchell and John L. Mitchell,

Was read a third time, and not passed, a majority of all the Senators elect not voting therefor, as follows:

#### YEAS.

Mr. Adair,  
Baker,  
Brown,  
Butterfield,  
Carpenter,  
DeLand,

Mr. French,  
Green,  
Jones,  
Lacy,  
McDermid,

Mr. Monroe,  
Mulholland,  
Near,  
Wilder,  
Withey,

16

#### NAYS

Mr. Bailey,  
Briggs,  
Galloway,

Mr. Lane,  
Owen,

Mr. Stout,  
Williams,

4

On motion of Mr. DeLand,

The vote by which the joint resolution was not passed was reconsidered.

Mr. Owen moved to lay the joint resolution on the table;

Which motion did not prevail.

The joint resolution was then passed, a majority of all the Senators elect voting therefor, as follows:

#### YEAS.

Mr. Adair,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,

Mr. DeLand,  
French,  
Green,  
Jones,  
Lacy,  
Lane,  
McDermid,

Mr. Monroe,  
Mulholland,  
Near,  
Strickland,  
Webb,  
Wilder,  
Withey,

21

## NAYS.

Mr. Bailey,  
Gale,  
Galloway,

Mr. Hazen,  
Owen,

Mr. Stout,  
Williams,

The title was agreed to.

House bill, entitled

A bill to organize the township of Hamlin, in the county of Mason,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,  
Bailey,  
Baker,  
Baldwin,  
Brown,  
Butterfield,  
Carpenter,

Mr. DeLand,  
Galloway,  
Green,  
Hazen,  
Lacy,  
Lane,  
McDermid,

Mr. Monroe,  
Mulholland,  
Near,  
Strickland,  
Webb,  
Williams,  
Withey,

21

## NAYS.

Mr. Briggs,  
Gale,

Mr. Jones,

Mr. Owen,

4

The title was agreed to, and the bill ordered to take immediate effect, by a vote of two-thirds of all of said Senators.

House bill No. 73, being

A bill to amend section 5 of an act to amend an act to provide for assessing property at its true value, and for levying and collecting taxes thereon,

Came up for a third reading, when

Mr. Green, with the consent, of the Senate moved to amend by striking out of line 23, section 10, the words "the estates of Indians, except lands held by purchase and;"

Which motion prevailed.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows,

## YEAS.

Mr. Adair,  
Bailey,  
Baker,  
Baldwin,

Mr. Gale,  
Galloway,  
Green,  
Hazen,

Mr. Monroe,  
Mulholland,  
Near,  
Owen,

Briggs,  
Brown,  
Butterfield,  
DeLand,  
French,

Jones,  
Lacy,  
Lane,  
McDermid,

Stout,  
Webb,  
Wilder,  
Williams,

25

## NAYS.

Mr. Carpenter,

Mr. Withey,

2

The title was agreed to.

The Senate took a recess until 2 o'clock P. M.

## AFTERNOON SESSION.

The Senate was called to order at 2 o'clock.

A committee from the House appeared and announced that the House was prepared to receive the Senate in joint convention, and now awaited its attendance;

Whereupon the Senate proceeded to the hall of the House of Representatives.

The Senate returned, and the President announced the following message:

HOUSE OF REPRESENTATIVES,  
Lansing, February 22, 1861.

*To the President of the Senate:*

SIR:—I am instructed to inform the Senate that the two Houses, assembled in joint convention, have listened to the reading of Washington's Farewell Address to the American People, by his Excellency, Governor Blair.

Very respectfully,

ED. W. BARBER,

*Clerk of House of Representatives.*

The Senate then adjourned.

*Lansing, Saturday, February 23, 1861.*

The Senate was called to order at 9 o'clock.

Roll called : a quorum present.

PETITIONS PRESENTED.

By Mr. McDermid : petition of S. R. Lockwood and 60 others, praying for the passage of a law to assess damages on lands flowed by mill ponds;

Referred to the committee on State affairs

By Mr. Baldwin : remonstrance of Stephen Pearl, Edward Paine, O. M. Pearl and 100 others, against the passage of any law impairing the present boundaries of Clinton county ;

Referred to the committee on towns and counties.

By Mr. Bailey ; petition of Wm. Upjohn and 75 others, citizens of Barry county, praying for the passage of an act to clearly define and settle the relative rights and powers of regents, professors and president of the University ;

Referred to the committee on public instruction.

By Mr. Baker : petition of Daniel H. Deming, R. T. Crawford and 139 others, citizens of Lenawee county, praying for the repeal of the personal liberty laws ;

Referred to the committee on federal relations.

By Mr. Adair : petition of Henry Gies, Geo. M. Rich and 13 others, owners and occupants of property in the 10th ward of the city of Detroit, praying that a portion be set back to the township of Hamtramck ;

Referred to the committee on incorporations.

REPORTS OF STANDING COMMITTEES.

By the committee on roads and bridges:

The committee on roads and bridges, to whom were referred petitions and a bill to authorize the people of Gratiot and other new counties to work out the amount of their indebtedness to this State on the highways in said counties,

Have had the same under consideration, and your committee are of opinion that so much of said indebtedness as is in county orders, ought not to be so expended. But your committee are



of opinion that it would be wisdom in the legislature to allow so much of said indebtedness as is held in notes of individuals, to be so worked on the highways. They have amended the bill so as to make it conform to those views, and with such amendments, recommend that it do pass, and ask to be discharged from the further consideration of the subject.

All which is respectfully submitted.

N. GREEN, *Chairman.*

The report was accepted, the committee discharged, the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on reform school :

By the committee on reform school to whom was referred

A bill to amend section 6243, of compiled laws, relative to persons sentenced to the reform school,

Would ask leave to report that they have had the same under consideration, and report it back to the Senate without amendment, recommend its passage, and ask to be discharged from its further consideration.

E. G. GALE, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on incorporations :

The committee on incorporations to whom was referred

A bill to authorize the township board of the township of Genoa, in the county of Livingston, to transfer the title of the township burial ground to a corporation,

Report that they have had the same under consideration, and respectfully report the same back to the Senate without amendment, and recommend that the same do pass, and ask to be discharged from the further consideration of the subject.

JOS. R. WILLIAMS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee :

The committee on incorporations, to whom was referred

A bill to amend an act to incorporate the city of Owosso, approved Feb. 15, 1859,

Have had the same under consideration, and would respectfully report the same back to the Senate without amendment. They recommend its passage, and ask to be discharged from the further consideration of the subject.

J. R. WILLIAMS, *Chairman.*

The report was accepted, the committee discharged, and the bill referred to the committee of the whole and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to repeal act No. 143, session laws of 1859, relative to the University interest fund,

Have had the same under consideration, and respectfully report the same back to the Senate without amendment, and recommend that the same do pass. They ask to be discharged.

JOS. R. WILLIAMS,

*For the Committee.*

The report was accepted, the committee discharged, and the bill referred to the committee of the whole, and placed on the general order.

By the committee on public instruction:

The committee on public instruction, to whom was referred House bill No. 68, being

A bill to amend section 7, of chapter 82, of the compiled laws, in relation to the sale of the university and primary school lands,

Respectfully report that they have had the same under consideration, and return the same to the Senate with the recommendation that it do pass.

S. L. WITHEY, *Chairman.*

The report was accepted, the committee discharged, and the bill referred to the committee of the whole, and placed on the general order.

By the same committee :

The committee on public instruction, to whom was referred House bill No. 62, being,

A bill to establish and regulate a mining school in the Upper Peninsula,

Respectfully report that they have had the same under consideration, and return said bill to the Senate and recommend its passage.

S. L. WITHEY, *Chairman*.

The report was accepted, the committee discharged, the bill referred to the committee of the whole, and placed on the general order.

By the same committee :

The committee on public instruction, to whom was referred two bills, one entitled a bill for the relief of the State Historical Society, the other, to provide for obtaining documents and papers pertaining to the early history of Michigan, and to aid the State Historical Society to publish the same,

Respectfully report that they have had said bills under consideration, and while they have no doubt of the merits and usefulness of the society, and of the importance of securing the materials of the past history of Michigan, and believe the Legislature would, if the funds of the treasury at this present time warranted, be disposed to respond favorably to the appropriation asked by the bills. Your committee are compelled, in the discharge of their duties in view of the plain obligation to recommend no appropriations not actually required to sustain the honor and integrity of the State, return said bills to the Senate, and recommend that they do not pass.

S. L. WITHEY, *Chairman*.

Report accepted, committee discharged, and the bills laid on the table.

By the committee on public lands :

The committee on public lands, to whom was referred

A bill to amend section 2435 of the compiled laws, relative to the payment of moneys by purchasers of the trust fund lands to county treasurers,

Have had the same under consideration, and respectfully report the same back to the Senate without amendment, and recommend its passage.

EZRA HAZEN, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the same committee:

The committee on public lands, to whom was referred

A bill to provide for selecting and locating the unselected deficiency existing in the quantity of lands due to the State of Michigan, under the acts of Congress,

Have had the same under consideration, and respectfully report the same back to the Senate without amendment, and recommend its passage.

EZRA HAZEN, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee:

The committee on public lands, to whom was referred

Joint resolution to authorize the Commissioner of the State Land office, to adjust with the general government the conflicting claims existing between the general and State governments in relation to the several land grants made to this State, and secure patents for all unsettled balances due this State,

Respectfully report that they have had the same under consideration, and report the same back to the Senate without amendment, and recommend its passage.

EZRA HAZEN, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

#### REPORTS OF SELECT COMMITTEES.

By the committee on amendments to the constitution:

The special joint committee of the Senate and House, on amendments to the constitution, to whom was referred

Joint resolution to provide for an amendment of the constitution so as to authorize the establishment of a State bank, with branches, or some general system of banking ;

Also,

Joint resolution to provide for an amendment of the constitution, concerning banking corporations, article 15, sections 4, and 6,

Respectfully report that they have had the resolutions under consideration, and return the same back to the Senate with the recommendation that the Senate lay them on the table and take no further action in reference to them, until the resolution reported by said joint committee, on the 20th inst, covering the subject matter embraced in the resolutions herewith returned, is disposed of.

S. L. WITHEY, *Chairman.*

The report was accepted, the committee discharged, and the joint resolutions were laid on the table.

#### MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Carpenter,

The vote by which House bill No. 13 was not passed, was reconsidered, and the bill was laid on the table.

On motion of Mr. Baldwin,

House bill No. 96, was taken from the table and ordered to a third reading.

#### MESSAGES FROM THE OTHER HOUSE.

The President announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, February 23, 1861. }

To the President of the Senate :

SIR:—I am instructed to transmit to the Senate the following bill, entitled :

A bill to provide for an additional circuit court commissioner in certain cases;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members

elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill read twice, by title, and referred to the committee on the judiciary.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 23, 1861.* }

*To the President of the Senate:*

SIR:—I am instructed by the House to re-transmit the following entitled bill:

A bill to amend sections 8, 9, 16 and 18 of chapter 94 of the revised statutes of 1846, the same being chapter 118 of the compiled laws, relative to criminal proceedings before justices of the peace,

And to inform the Senate that the House does not concur in the amendment made by the Senate, by striking out in the interlineation, in the third line of recited section 18, the words "one hundred," and inserting "fifty" in lieu thereof; and the Senate is respectfully requested to recede therefrom.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and

On motion of Mr. French,

The Senate receded from its amendment.

#### THIRD READING.

Senate bill, entitled

A bill to provide for selecting and locating the unsettled deficiency existing in the quantity of lands due to the State of Michigan under the act of Congress, approved May 20, 1826, and for any other land grant made by act of Congress to this State;

Also Senate joint resolution, entitled

Joint resolution authorizing the Commissioner of the State Land Office, to adjust with the general government the conflicting claims existing between the general and State governments in relation to the several land grants made to this State, and secure patents for all unsettled balances due this State;

Came up for a third reading, and were laid on the table.

House bill No. 96, entitled

A bill to establish the county seat of Mason county,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

YEAS.

Mr. Bailey,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Coulter,  
DeLand,

Mr. French,  
Green,  
Hazen,  
Lacy,  
Lane,  
McDermid,

Mr. Monroe,  
Near,  
Strickland,  
Webb,  
Williams,  
Withey,

19

NAYS.

Mr. Adair,  
Baker,  
Carpenter,

Mr. Gale,  
Jones,

Mr. Mulholland,  
Owen,

8.

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

Senate bill, entitled

A bill to authorize the township board of the township of Geneva, in the county of Livingston, to transfer the title of the township burial ground to a corporation,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

YEAS.

Mr. Adair,  
Bailey,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,

Mr. Coulter,  
DeLand,  
French,  
Gale,  
Green,  
Hazen,  
Jones,  
Lacy,

Mr. Lane,  
McDermid,  
Mulholland,  
Near,  
Webb,  
Wilder,  
Williams,

23

NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

GENERAL ORDER.

On motion of Mr. Brown,

The Senate went into committee of the whole on the general order,

Mr. Owen in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report :

The committee of the whole have had under consideration Senate bill, entitled

A bill to discontinue a portion of the Allegan and Lansing State road;

Also,

House bill, entitled

A bill to authorize certain highways to be laid out less than four rods wide,

And report the same back without amendment, recommending their passage.

The committee have also had under consideration, Senate bill No. 2, being

A bill to amend section 2581 of the compiled laws, being sec. 4 of an act entitled an act to provide for the collection of tolls and for the care, charge and operating of the St. Mary's Falls ship canal, approved Feb. 12, 1855;

Have stricken out all the amendments heretofore made in committee of the whole, and recommend the passage of the bill, as printed, sections 2 and 3 being stricken out.

The committee have also had under consideration House bill No. 8, being

A bill to provide for the marking and branding of horses, cattle, sheep and swine,

And have struck out all after the enacting clause.

The committee of the whole have also had under consideration House bill No. 19, being



A bill to amend an act entitled an act to establish teachers' institutes, approved Feb. 11th, 1855,

Have made some progress therein, but, not having gone through therewith, have directed their chairman to report that fact to the Senate, and ask leave to sit again.

JOHN G. OWEN, *Chairman.*

The report was accepted, the amendments concurred in, the three first named bills ordered to a third reading, the recommendation of the committee, striking out all after the enacting clause of the fourth named bill, concurred in, and the committee granted leave to sit again for the consideration of the last named bill.

The Senate took a recess till 2 o'clock, P. M.

---

AFTERNOON SESSION.

The Senate was called to order at two o'clock.

Roll called : quorum present.

On motion of Mr. Butterfield,

Senate bill No. 79 was made the special order for Monday next at 2 o'clock P. M.

On motion of Mr. Baldwin,

The several appropriation bills, being Senate bills No. 37, 38 and 70, were made the special order for Tuesday, at 2 o'clock P. M.

On motion of Mr. Withey,

Joint resolution to provide for amendments of article 6, sections 2 and 3; article 9, section 1; article 13, section 6; article fifteen, sections 1, 2 and 4; article 20, section 2, of the constitution of the State of Michigan,

Was taken from the table.

Mr. Brown moved to strike out the proposed amendments to section 2, of article 6;

Which motion prevailed.

Mr. DeLand moved to strike out the proposed amendments to section 3, of article 6;

Which motion did not prevail.

Mr. Baldwin moved to amend the proposed amendment of section 1, of article 9, by striking out the word "amounts," and inserting in the place thereof the words "amount on the salary of the Governor, and not to exceed 50 per cent. on the salary of the remainder of said officers ;"

Which motion did not prevail.

Mr. Owen offered the following as a substitute for the entire section :

The Governor, State Treasurer, Auditor General and Circuit Judges, shall each receive an annual salary of \$2,000 ; the Attorney General, Superintendent of Public Instruction, Commissioner of the State Land Office and Secretary of State, shall each receive an annual salary of \$1,500. They shall receive no fees or perquisites whatever for the performance of any duties connected with their office ;

Which substitute was adopted.

Mr. Jones moved to strike out the whole section ;

Pending which,

Mr. Baldwin moved that the Senate adjourn.

Pending the motion to adjourn,

The President, with the unanimous consent of the Senate, announced and read the following

MESSAGE FROM THE GOVERNOR :

EXECUTIVE OFFICE,  
Lansing, February 23, 1861. }

*To the Legislature :*

I herewith communicate to the Legislature the accompanying memorial of the Legislative Assembly of the Territory of Kansas, together with the letter of acting Governor Beebe in regard to the same. There is no longer any doubt that a large portion of the people of Kansas are suffering from the greatest of all calamities, famine. Their appeal is to the humanity of their neighbors who have plenty. The extent of the calamity is so great that the efforts of private and individual benevolence have proved inefficient for anything like adequate relief. The

great State of New York has appropriated from the public treasury the munificent sum of fifty thousand dollars, for the relief the suffering people of Kansas. It will add to the just renown of that State. I recommend the accompanying memorial to your early attention.

AUSTIN BLAIR.

EXECUTIVE OFFICE, KANSAS TERRITORY, }  
*Leecompton, February 7, 1861.* }

To His Excellency, AUSTIN BLAIR,

*Governor of Michigan :*

YOUR EXCELLENCY :—Pursuant to the requirements of a resolution of the Legislative Assembly of this Territory, I have the honor to transmit herewith the accompanying paper, to be laid before the Honorable the Legislative Assembly of the State over which you preside.

Very respectfully,

Your obedient servant,

JNO. BEEBE,

*Governor Territory of Kansas.*

*To the Governor and Legislative Assembly of the State of Michigan:*

We, the Legislative Assembly of the Territory of Kansas, would respectfully and earnestly represent—

That the people of Kansas have suffered during the past summer, from one of the most severe drouths ever before known in the history of this or any other country. We do not deem it necessary to spread before you a detailed account of the hardships consequent upon this state of things; we will only say that we are amazed whenever called to contemplate the severity and extent of the calamity.

Not less than thirty thousand persons are now and will be dependent for subsistence, upon outside resources, until our next harvest, and in addition to the need of provisions and clothing, a large amount of seed wheat, corn and potatoes will be required at an early day, or the citizen of Kansas must, to some extent, remain beneficiaries upon eastern liberalities for the year to come. The snow, which has fallen in immense quan-

tities all over our country, burying beyond the reach of our stock the principal source of subsistence which remained for them, in the dry grass of the prairies—must inevitably cause the death by starvation of a large portion of our cattle, while at the same time the roads are rendered impassable and the people exposed to greatly increased privation and sufferings, from the difficulty of reaching the points where food is to be obtained; from these causes we have great reason to apprehend that our condition in the spring must be helpless and hopeless without a liberal and prompt response to this appeal.

We are assured, from the office of the Relief Committee, at Atchison, that the indications are daily becoming more and more alarming, in consequence of the falling off of private donations, and we are urged to take some measures to provide for the worst that may yet be in the future.

We are specially desirous to procure, from legislative beneficiaries, the means of furnishing our people at least on hundred thousand bushels of seed wheat, and a sufficiency of corn and potatoes also, for spring planting.

Our position is one of extreme trial; already overwhelmed with a deep sense of obligation to sympathising friends in the East, who have hitherto, under the kind promptings of generous hearts, opened wide their hands for our relief, we are still impelled by painful necessity, from what we know of the condition of the country, to renew our appeal, addressing ourselves, in this instance, to the concentrated generosity of our eastern friends as represented in the Legislative Assembly now in session.

We ask, therefore, that the condition of our people may be considered, and as seed time is rapidly approaching, we earnestly desire that whatever is done to us, as a people, from a prolongation of our destitution and suffering beyond another harvest, be done speedily.

While we deplore some of the bad effects of our recent severe weather, and storms of snow, we recognize behind the cloud the benignant designs of a kind Providence in preparing

our soil, by a process pre-eminently adapted to the end desired, for an early and successful spring culture.

The Territorial Relief Committee have an office at the city of Atchison, and they have the confidence of the people of the country; and we believe any funds committed to them will be wisely, faithfully and equitably distributed over the Territory, according to the necessities of the people; but those who may prefer to disburse their charities through other channels, will, of course, consult their own judgment in the matter.

With grateful acknowledgments for the kind sympathy and substantial aid already received, your memorialists, as in duty bound; will ever pray.

JOHN W. SCOTT,

*Speaker of the House of Representatives.*

ALFRED GRAY,

*Chief Clerk of the House of Representatives.*

W. W. UPDEGRAFF,

*President of the Council.*

J. J. INGALLS,

*Secretary of the Council.*

On motion of Mr. French,

The message and accompanying papers were referred to the committee on finance.

The Senate then adjourned till Monday morning, at 9 o'clock.

---

*Lansing, Monday, February 25, 1861.*

The Senate was called to order at 9 o'clock.

Roll called : a quorum present.

**PETITIONS PRESENTED.**

Mr. McDermid presented the remonstrance of Thomas Bart, against any amendments of the charter of the village of Hillsdale;

Also, of Richard Hallet and 50 others, against the same;

Which were referred to the committee on incorporations.

By Mr. Monroe: petition of 42 inhabitants of the city of Goldwater, in the county of Branch, praying for the repeal of the law entitled an act to encourage the manufacture of salt in Michigan;

Referred to the committee on salt.

By Mr. DeLand: petitions of Ambrose Frederick and 83 others, of Montcalm county, and of Ira Barlow and 25 others, for the detaching the township of Pierson and attaching the same to the county of Mecosta;

Referred to the committee on towns and counties.

#### REPORTS OF STANDING COMMITTEES.

By the committee on internal improvement:

The committee on internal improvement, to whom was referred

A bill to authorize the several townships in the counties of Muskegon, Oceana, Mason and Manistee, to levy taxes for the improvement of harbors and rivers within their respective counties,

Have had the same under consideration and have instructed me to report the same back to the Senate with an amendment making the vote on the question to taxation provided for in said bill, to be by ballot, and when so amended recommend that it do pass.

J. CARPENTER, *Chairman.*

The report was accepted, the committee discharged, the amendments concurred in, and the bill laid on the table and ordered printed.

By the same committee:

The committee on internal improvements, to whom was referred

Joint resolution for the relief of Warren Thompson, Sidney Green, John Stuart, Richard Peters, Charles Dean and T. G. Barker

Have had the same under consideration, and have instructed me to report: That the claim is for land taken from the petitioners by the State and used for locating the route of the Michigan Southern Railroad; that the land, or most of it, was mort-

gaged or under contract of sale at the time when it was taken possession of for the purpose aforesaid by the State, and therefore, when the State sent her commissioners to pay for the lands on which said railroad is located, the owners of these lands not being able, in consequence of the lands being mortgaged or not paid for under their contracts, to make a sufficient deed to the State, were not and have not to this day been paid.

Your committee are well aware that it is claimed by many that these claims are valid under the statute of limitations ; that the value of the lands through which the road runs has been increased four-fold, and that the State fulfilled all her equitable obligations to these men when she appointed commissioners and gave them power to close up the whole matter. In reply to such arguments, your committee would say, that they do not believe that the State of Michigan is yet prepared to plead the statute of limitation to a just and honest claim of her own citizens ; and in respect to the great increase in the value of the lands, there are many causes in addition to the building of this railroad, which, in twenty years past, have helped to increase the value of these farms. These farms are on the line of the great Chicago Turnpike, and doubtless had no railroad ever been built, would have been worth as much nearly as at present. There are many other reasons and considerations which, in the opinion of your committee, ought to induce this Senate to grant the examination asked for by the owners of these farms, among which is the fact that all should be treated alike—that the State should know no distinctions between her own people ; that if it was right that one should be paid, it was also right to pay the others under the same circumstances.

Your committee have, therefore, directed me to report back to the Senate the joint resolution, to recommend its passage, and ask to be discharged from the further consideration of the subject.

J. CARPENTER, *Chairman.*

The report was accepted, the committee discharged, and the

bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on enrolled bills :

The committee on enrolled bills, to whom was referred

A bill to provide for the continuance of the State Geological Survey;

Also,

A bill to authorize the Supreme Court to appoint a crier;

Also,

A bill to change the name of the village of Willow Creek, in the county of Huron, to Huron City;

Also,

A bill making appropriations for the salaries of the State officers for the years 1861 and 1862,

Would respectfully report that they have had the same under consideration, and herewith return them to the Senate correctly enrolled.

H. C. BRIGGS, *Chairman.*

The report was accepted, and the bills were signed and presented to the Governor.

By the committee on manufactures:

The committee on manufactures, to whom was referred

A bill to provide for prosecuting experiments for the discovery of the most economical method of purifying brine used in the manufacture of salt,

Have had the same under consideration, and believe that the practical effect of this bill would be to increase the salary of the State Geologist. Therefore, they would report it back to the Senate and recommend that it do not pass, and ask to be discharged from the further consideration thereof.

D. G. WILDER, *Chairman.*

The report was accepted, the committee discharged, and the bill referred to the committee of the whole, and placed on the general order.

By the committee on public instruction :

The committee on public instruction, to whom was referred



A bill to incorporate the public schools of the city of Adrian, Respectfully report that they have had the same under consideration and return the same to the Senate with the recommendation that it do pass.

S. L. WITHEY, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

MESSAGES FROM THE OTHER HOUSE.

The President announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 23, 1861.* }

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following bills:

1. A bill to amend an act entitled an act to re organize the township of Garden Island, and to change the name of said township;

2. A bill to authorize any township in the county of Allegan to levy a special tax for the improvement of the Kalamazoo river and harbor;

3. A bill to provide for holding inquests on the view of dead bodies within the cities of this State by the coroners of the counties in which they are situate;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, has been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the several bills read twice, by title, the first named referred to the committee on towns and counties, the second named to the committee on internal improvement, and the last named to the committee on incorporations.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, February 23, 1861. }

*To the President of the Senate :*

SIR :—I am instructed to return to the Senate the following entitled bill :

A bill compelling mining companies in the Upper Peninsula of Michigan, to file with the county treasurer of the county in which they are doing business, a list of their stockholders, and the amount of the indebtedness of the companies,

Which the House has amended by striking out, in line 2, sec. 1, the words "the Upper Peninsula," and inserting in lieu thereof the words "this State;"

Also, by striking out, in section 3, line 1, the words "in the Upper Peninsula," and inserting before the word "mining," in said line, the word "said."

The House has also amended the title by striking out the words "the Upper Peninsula of Michigan," and inserting "this State" in lieu thereof.

In the passage of which, the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the amendments were not concurred in, a majority of all the Senators elect not voting therefor, as follows :

#### YEAS.

Mr. Adair,	Mr. Butterfield,	Mr. Lane,	
Bailey,	Coulter,	Near,	
Baker,	French,	Owen,	
Briggs,	Green,	Webb,	
Brown,	Lacy,	Wilder,	15

#### NAYS.

Mr. Carpenter,	Mr. Gale,	Mr. Monroe,	
DeLand,	Jones,	Withey,	6

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 23, 1861.* }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following joint resolution, entitled

Joint resolution relative to the Agricultural College ;

And to inform the Senate that the House has receded from its amendments thereto, and has concurred in the Senate substitute therefor.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the joint resolution was ordered to be enrolled.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion, leave of absence was granted to Senator Hazen for an indefinite time.

On motion of Mr. DeLand,

The committee of the whole was discharged from the further consideration of Senate bill No, 117, entitled

A bill to amend chapter 32 of the compiled laws, entitled "of limited partnerships,"

And the same was laid on the table.

Mr. French offered the following :

*Resolved*, That during the remainder of this session the speeches of Senators shall be limited to ten minutes each.

Mr. Owen moved to lay the resolution on the table.

Which motion did not prevail.

The resolution was adopted by the following vote:

YEAS.

Mr. Brown,  
 Carpenter,  
 Coulter,  
 DeLand,  
 French,

Mr. Jones,  
 Lacy,  
 Lane,  
 McDermid,

Mr. Monroe,  
 Mulholland,  
 Wilder,  
 Williams,

## NAYS.

Mr. Bailey,  
Briggs,  
Butterfield,

Mr. Gale,  
Green,  
Near,

Mr. Owen,  
Webb,  
Withey,

9

Mr. Carpenter offered the following:

*Whereas*, We have the assurance of the leading organ of the Michigan democracy, that a conspiracy is on foot amongst the people of the Upper Peninsula, to secede from the State, and to annex themselves to Canada;

*And whereas*, No one who has noticed the course of that truthful, candid, and high toned journal, since it has been under the control of its present veracious and excellent editors, can any more question its authority in this case, than upon any question of religion or politics; therefore

*Resolved*, That the committee on the militia be instructed to inquire into the expediency of calling out the military force of the State, to meet this near and unexpected "fire in the rear," and to put down this effort to dismember our State, and to transform a large and virtuous portion of our democracy into British subjects.

On motion of Mr. French,

The preamble and resolution were laid on the table.

On motion of Mr. French,

The committee of the whole was discharged from the further consideration of Senate bill No. 118, being

A bill to amend section 2485 of the compiled laws, relative to the payment of moneys by purchasers of the trust fund lands to county treasurers,

And the bill was ordered to a third reading.

On motion of Mr. Baker,

Senate bill No. 98, being

A bill to assess a special tax for the improvement of the meridian line road between Lenawee and Hillsdale counties,

Was taken from the table, and ordered to a third reading.

On motion of Mr. Withey,

House bill No. 1, being

A bill relative to levies of executions on real estate,  
Was taken from the table and ordered to a third reading.

On motion of Mr. Brown, it was

*Resolved*, by the Senate, (the House concurring,) That the Secretary of the State be and is hereby authorized and directed to forward one copy of the laws and resolutions passed at the present session of the Legislature, also one copy of the journals and documents of the Senate and House of Representatives, and joint documents of the Senate and House of Representatives to each of the members and officers of the two Houses, directed to the clerks of the several counties in which said members and officers reside, as soon as the same shall be printed, bound and ready for delivery.

#### THIRD READING.

Senate bill No. 2, being

A bill to amend section 2581 of the compiled laws, being section 4 of an act entitled an act to provide for the collection of tolls, and for the care, charge and operating of the St. Mary's Falls Ship canal, approved February 12, 1855,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

#### YEAS.

Mr. Adair,	Mr. DeLand,	Mr. McDermid,	
Bailey,	French,	Monroe,	
Baker,	Gale,	Mulholland,	
Briggs,	Green,	Near,	
Brown,	Jones,	Webb,	
Butterfield,	Lacy,	Wilder,	
Coulter,	Lane,	Withey,	21

#### NAYS.

0

The title was agreed to.

House bill, entitled

A bill to authorize certain highways to be laid out less than four rods wide,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,  
Bailey,  
Baker,  
Briggs,  
Brown,  
Butterfield,  
Coulter,

Mr. DeLand,  
French,  
Green,  
Jones,  
Lacy,  
Lane,

Mr. Monroe,  
Mulholland,  
Near,  
Owen,  
Wilder,  
Withey.

19

## NAYS.

Mr. Gale,

Mr. McDermid,

Mr. Webb,

3

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

Senate bill, entitled

A bill to discontinue a portion of the Allegan and Lansing State road,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,  
Bailey,  
Baker,  
Briggs,  
Brown,  
Butterfield,  
Coulter,  
DeLand,

Mr. French,  
Gale,  
Green,  
Jones,  
Lacy,  
Lane,  
McDermid,

Mr. Monroe,  
Mulholland,  
Near,  
Owen,  
Webb,  
Wilder,  
Withey,

22

## NAYS.

0

The title was agreed to.

Senate bill No. 98, being

A bill to assess a special tax for the improvement of the meridian line road between Lenawee and Hillsdale counties,

Came up for a third reading, and, leave being granted,

Mr. Baker moved to amend by striking out the proviso in the first section;

Which motion prevailed.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,  
Bailey,

Mr. DeLand,  
French,

Mr. Mulholland,  
Near,

Baker,	Green,	Owen,	
Briggs,	Jones,	Webb,	
Brown,	Lacy,	Wilder,	
Butterfield,	Lane,	Williams,	
Carpenter,	McDermid,	Withey,	
Coulter,	Monroe,		23
	NAYS.		0

The title was agreed to.

House bill No. 1, entitled

A bill relative to levies of executions on real estate,

Came up for a third reading, and, leave being granted,

Mr. Briggs moved to amend by inserting after the word "valid," in the 2d line of section 1, the words "as against persons obtaining a subsequent interest therein ;"

Which motion prevailed.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

#### YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Mulholland,	
Bailey,	French,	Near,	
Baker,	Green,	Owen,	
Briggs,	Jones,	Webb,	
Brown,	Lacy,	Wilder,	
Butterfield,	Lane,	Williams,	
Carpenter,	McDermid,	Withey,	
Coulter,	Monroe,		23
	NAYS.		0

The title was agreed to.

Senate bill No. 118, being

A bill to amend section 2435 of the compiled laws, relative to the payment of moneys by purchasers of the trust fund lands, to county treasurers,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

#### YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Near,
Bailey,	French,	Owen,
Baker,	Green,	Webb,
Briggs,	Jones,	Wilder,

Brown,  
Butterfield,  
Coulter,

Lacy,  
Lane,  
McDermid,  
NAYS.

Williams,  
Withey,

20  
0

The title was agreed to.

# UNFINISHED BUSINESS.

Senate joint resolution, entitled

Joint resolution to provide for amendments of article 6, sections 2 and 3 ; article 9, section 1 ; article 13, section 6 ; article 15, section 1, 2 and 4 ; article 20, section 2, of the Constitution of the State of Michigan,

Being the unfinished business of Saturday, was taken up.

The pending motion being to strike out the proposed amendment to section 1, of article 9, as amended by the substitute adopted, the same prevailed.

Mr. Withey moved to strike out the proposed amendment to section 6, of article 13;

Which motion prevailed.

Mr. Owen moved to strike out the proposed amendment to section 1, of article 15;

Which motion did not prevail.

Mr. Owen moved to strike out the proposed amendment to section 2, of article 15;

Which motion did not prevail.

Mr. Owen moved to strike out the proposed amendment, striking out section 4 of article 15;

Which motion did not prevail.

Mr. Monroe moved to amend the proposed amendment to section 2, of article 20; by striking out the words "and also at such other times as the Legislature may by law provide;"

Which motion prevailed.

M. French moved to strike out the word "six," in the second line of said section, and insert the word "two;"

Which motion did not prevail.

Mr. DeLand moved to strike out the entire section ;

Which motion prevailed.



Mr. Withey moved to reconsider the several votes by which the proposed amendments were stricken out ;

Which motion prevailed.

Mr. DeLand moved to refer the joint resolution to a special committee of five Senators ;

Which motion prevailed.

On motion of Mr. Withey,

The Senate took a recess till 2 o'clock P. M.

---

AFTERNOON SESSION.

The Senate was called to order at 2 o'clock.

Roll called : a quorum present.

Leave of absence was granted to Senators Baldwin and Stout.

SPECIAL ORDER.

The Senate went into committee of the whole on the special order,

Mr. Lane in the chair.

After some time spent therein, the committee rose and through their chairman, made the following report :

The committee of the whole have had under consideration the following entitled bill:

A bill to reorganize the Agricultural College of the State of Michigan, and to establish a State Board of Agriculture, which shall have control of said College and the lands belonging thereto, and be connected with the agricultural interests of the State,

Have made some progress therein, but, not having gone through therewith, have directed their chairman to report that fact to the Senate, and to ask leave to sit again.

T. D. LANE, *Chairman*.

The report was accepted, and the bill made the special order for to-morrow at ten o'clock A. M.

Mr. Wilder offered the following :

*Resolved*, That the Commissioner of the State Land Office be requested to furnish to the Senate a true statement of the re-

ceipts for sale of swamp lands, together with the amount sold for construction of roads since the 12th of February, 1857, to date.

Which resolution was adopted.

The Senate adjourned.

---

*Lansing, Tuesday, February 26, 1861.*

The Senate was called to order at 9 o'clock.

Roll called : a quorum present.

PETITIONS PRESENTED.

By Mr. Backus: petition of John Crosby and 66 others, for the repeal of the bounty on salt;

Referred to the committee on salt.

By Mr. Lane: petition of L. G. Becker and 62 others, for the same;

Referred to the same committee.

By Mr. Williams: petition of Levi T. Hull, Isaac T. Moyer and 39 others, citizens of the county of St. Joseph, for the same;

Referred to the same committee.

By Mr. Stout: petition of Rev. W. P. Westall and 25 others, citizens of Oakland county, asking restoration of prohibitory liquor law;

Referred to the committee on State affairs.

By Mr. Williams: remonstrance of L. C. Osborn, R. E. Case and A. B. George, against vacating a part of the plat of the village of Constantine;

Referred to the committee on incorporations.

By Mr. Jones: petition of Uzziel Putnam and 51 others, citizens of Cass county, relative to the University;

Referred to the committee on public instruction.

By Mr. Strickland: Petition of Col. A. W. Williams and S. D. Bingham and 34 others, for a State Prison at Grand Ledge;

Referred to the committee on State Prison.

## REPORTS OF STANDING COMMITTEES.

By the committee on finance:

The committee on finance, to whom was referred

A bill to exempt Pine Grove Seminary from taxation,

Have had the same under consideration, and have instructed me to report that, in the opinion of your committee, the policy of exempting from taxes all private property used for educational purposes would be unwise. Should the bill under consideration be received with favor and become a law, your committee know no reason why the property of all other private schools and seminaries should not also be exempt from taxation; and as the number of such schools in the State must be large, the amount of real and personal property thus exempt would be greatly increased. The value of property already exempt from taxes is very large, and, in the opinion of your committee, should not be increased without strong reasons. Your committee, therefore, return the bill with the recommendation that it do not pass, and ask to be discharged from the further consideration of the same.

H. P. BALDWIN, *Chairman.*

The report was accepted, the committee discharged, and the bill laid on the table.

By the committee on towns and counties :

The committee on division of towns and counties, to whom was referred

A bill to provide the equal valuation and assessment of property in the village of Hudson,

Respectfully return the same to the Senate with the recommendation that it do pass, and ask to be discharged from its further consideration.

C. V. DeLAND, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on finance :

The committee on finance, to whom was referred

A bill to amend section 9, chapter 17, of compiled laws, of an

act entitled an act providing for assessing property at its true value,

Have had the same under consideration, and respectfully report that in the judgment of the committee it is not expedient at the present time to increase the amount of real estate which shall be exempt from taxation, they therefore return the bill and recommend that it do not pass, and ask to be discharged from the further consideration of the same.

H. P. BALDWIN, *Chairman.*

The report was accepted, the committee discharged, and the bill laid on the table.

By the committee on public instruction:

The committee on public instruction, to whom was referred the memorial of G. & C. Merriam, asking for payment for dictionaries furnished to the State, for school districts therein, under the provisions of an act approved Feb. 17th, 1857, have had the subject under examination, and respectfully report:

It appears from the statement of G. & C. Merriam, that they forwarded, on the order of Hon. Ira Mayhew, late Superintendent of Public Instruction, 2,000 copies of Webster's unabridged dictionary, at \$4 00 per copy.

In payment, they acknowledge the receipt of \$4,552 00, paid hem by the State Treasurer in 1858, for 1158 copies furnished to districts before June 4th of that year.

They acknowledge, also, the receipt of 260 copies returned to them, and of cash from Mr. Mayhew, at sundry times, of \$1,848 91 for dictionaries disposed of by him, on private account.

There have also been sold to districts, for cash, eight copies of the above two thousand, and the money paid to Messrs. Merriam.

This, according to their statement, would leave their due the sum of \$559 09. But it does not appear from any evidence before your committee, that more than 103 dictionaries have been furnished to districts by G. & C. Merriam, under the above act since June 4th, 1858. This would amount to \$412 00, to which they are justly entitled. It also appears that 36 copies of the

dictionary have been furnished under the above act, by Doughty, Straw & Co., for which payment has not been made.

Therefore, for the purpose of a just settlement of these accounts, the committee recommend the passage of the following resolution:

**JOINT RESOLUTION** for the settlement of claims for Webster's Dictionaries furnished to the school districts under the provisions of an act approved Feb. 17, 1857.

*Resolved, by the Senate and House of Representatives of the State of Michigan,* That the Board of State Auditors be and hereby are required to audit the accounts of G. & C. Merriam and Doughty, Straw & Co, for such number of dictionaries, at \$4 00 each, as shall appear to have been furnished by them under the provisions of the act to provide for the purchase of Webster's Unabridged Dictionary for the primary schools of this State, and the Auditor General is directed to draw his warrant upon the State Treasurer for the amount they shall find justly due out of any moneys in the treasury not otherwise appropriated.

S. L. WITHEY, *Chairman.*

The report was accepted and the committee discharged.

The President decided that the introduction of the joint resolution was inadmissible, the first fifty days of the session, after which the introduction of new bills is prohibited by the constitution, having expired.

Mr. Withey appealed from the decision of the chair, claiming that the constitutional prohibition only applies to the introduction of new bills, not to joint resolutions.

The decision of the chair was sustained by the Senate, the following being the vote thereon :

YEAS.

Mr. Adair,  
Bailey,  
Baker,  
Baldwin,  
Briggs,

Mr. French,  
Galloway,  
Green,  
Jones,  
Lacy,

Mr. Near,  
Owen,  
Stout,  
Tower,  
Webb,

Brown,  
Coulter,  
DeLand,

Lane,  
McDermid,  
Mulholland,

Wilder,  
Williams,

23

# NAYS.

Mr. Butterfield,  
Backus,  
Carpenter,

Mr. Gale,  
Monroe,

Mr. Strickland,  
Withey,

7

By the committee on towns and counties :

The committee on division of towns and counties, to whom was referred House bill, being

A bill to change the name of the township Little Sauble, in in the county of Mason, (to Lincoln,)

Report that there is in said township a flourishing village by the name of Lincoln, and also, there are several points on Lake Michigan, known as Point, Little, and Big Sauble, thus creating great confusion and embarrassment. They recommend the bill do pass, and ask to be discharged from its further consideration.

CHARLES V. DeLAND, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee:

The committee on division of towns and counties, to whom was referred House bill, being

A bill to amend an act entitled an act to organize the township of Garden Island and to change the name of said township, (to Chandler,)

Report that they have had the same under consideration, and though not possessed of any information relative to its necessity except the fact that the bill was introduced and passed the other House at the request of the member from Manitou county, they see no objection to granting the proposed organization, therefore recommend that the bill do pass and ask to be discharged from the further consideration thereof.

CHARLES V. DeLAND, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

## MESSAGES FROM THE OTHER HOUSE.

The President announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 26, 1861.* }

*To the President of the Senate :*

SIR—I am instructed to return to the Senate the following concurrent resolution :

*Resolved*, By the Senate (the House concurring), That the Secretary of State be and is hereby authorized and directed to forward one copy of the laws and resolutions passed at the present session of the Legislature, also one copy of the journals and documents of the Senate and House of Representatives and joint documents of the Senate and House of Representatives to each of the members and officers of the two Houses, directed to the clerks of the several counties in which said members and officers reside, as soon as the same shall be printed, bound and ready for delivery.

In the passage of which the House has concurred by a majority vote of all the members elect.

Very Respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table.

Also the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 26, 1861.* }

*To the President of the Senate :*

SIR:—I am instructed by the House to transmit the following bill, entitled

A bill to provide for the preservation of bridges in certain cases;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members

elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill read twice.

On motion of Mr. Withey,

The rule was suspended, and the bill was ordered to a third reading.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 26, 1861.* }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following message, and the bill accompanying the same:

SENATE CHAMBER, }  
*Lansing, February 25, 1861.* }

*To the Speaker of the House of Representatives:*

SIR:—I am instructed to return to the House the following entitled bill :

A bill to provide for the marking and branding of horses, cattle, sheep and swine,

All after the enacting clause of which the Senate has stricken out.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

And to respectfully inform the Senate that the House returns the same, for the reason that it does not appear from the message that the Senate has had any action on the bill, otherwise than in amending it by striking out all after the enacting clause, the Senate not having voted on the passage thereof ; therefore the bill is herewith returned that the Senate may take such further action as it may deem proper.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*



The message and bill were laid on the table.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 26, 1861.* }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following entitled bill:

A bill compelling mining companies in the Upper Peninsula of Michigan to file with the county treasurer of the county in which they are doing business, a list of their stockholders, and the amount of the indebtedness of the companies;

And to inform the Senate that the House insists upon its amendments thereto: that the House respectfully requests a committee of conference relative to the disagreement of the two Houses on said bill; and that Messrs. Lockwood, Toll and Crego have been appointed said committee on the part of the House.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table.

Mr. DeLand moved that a committee of conference, relative to the disagreement of the two Houses, be appointed ;

Which motion prevailed.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 26, 1861.* }

*To the President of the Senate :*

SIR:—I am instructed by the House to transmit the following bill:

A bill to amend certain sections of an act to revise the charter of the city of Ypsilanti, approved February 15, 1859 ;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members

elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill read twice, by title, and referred to the committee on incorporations.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. DeLand moved to take from the table Senate bill, No. 117, being

A bill to amend chapter 32, of the compiled laws, entitled of limited partnerships,

And that the same be placed on the order of third reading.

Which motion prevailed.

Mr. Brown moved that the committee of the whole be discharged from the consideration of House bill, entitled

A bill to authorize the conveyance of certain portions of section sixteen, township one south, of range eleven west, in the county of Kalamazoo,

And that the same be placed on the order of third reading.

Which motion prevailed.

SPECIAL ORDER.

On motion of Mr. Butterfield,

The Senate went into committee of the whole on the special order,

Mr. Lane in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report :

The committee of the whole have had under further consideration Senate bill No. 79, being

A bill to reorganize the Agricultural College of the State of Michigan, and to establish a State Board of Agriculture, which shall have control of said college and lands belonging thereto, and be connected with the agricultural interests of the State;

Have made some further progress therein, but, not having

gone through therewith, have directed their chairman to report that fact to the Senate, and ask leave to sit again.

T. D. LANE, *Chairman*.

The report was accepted, and the committee granted leave to sit again, for the further consideration of the bill.

On motion of Mr. Withey,

The Senate took a recess until 2 o'clock P. M.

---

AFTERNOON SESSION.

The Senate was called to order at two o'clock.

Roll called : quorum present.

The President announced the following special committees :

On joint resolution for amendment to the Constitution—Senators Withey, DeLand, Backus, Adair and Stout.

On the disagreement of the two Houses with respect to Senate bill No. 83—Senators Stout, Coulter and French.

The President announced a message from the Governor ; whereupon

The Senate went into executive session.

The executive session closed.

SPECIAL ORDER.

On motion of Mr. Owen,

The Senate went into committee of the whole on the special order,

Mr. French in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report :

The committee of the whole have had under further consideration

A bill to reorganize the Agricultural College of the State of Michigan, and to establish a State Board of Agriculture, which shall have control of said college and the lands belonging thereto, and be connected with the agricultural interests of the State,

Have made sundry amendments thereto, and report the same

back recommending concurrence therein, and that the bill be passed.

G. H. FRENCH, *Chairman*.

The report was accepted, and the amendments concurred in.

Mr. Tower moved to reconsider the vote concurring in the amendment by which "Geo. W. Germain, of Ionia," was stricken out, and "William S. H. Welton, of Kent," inserted.

Mr. Stout call for the previous question, which call being sustained, the vote was taken on the motion to reconsider which motion prevailed, as follows :

#### YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Monroe,	
Backus,	French,	Mulholland,	
Bailey,	Galloway,	Near,	
Baldwin,	Green,	Owen,	
Brown,	Ingersoll,	Stout,	
Carpenter,	Lacy,	Tower,	
Coulter,	McDermid,	Wilder,	21

#### NAYS.

Mr. Baker,	Mr. Gale,	Mr. Strickland,	
Briggs,	Jones,	Webb,	
Butterfield,	Lane,	Williams,	9

The question recurring on the amendment, striking out "Geo. W. Germain, of Ionia," and inserting "William S. H. Welton, of Kent," the same was not concurred in, as follows :

#### YEAS.

Mr. Briggs,	Mr. Lane,	Mr. Williams,	
Coulter,			4

#### NAYS.

Mr. Adair,	Mr. DeLand,	Mr. Mulholland,	
Backus,	Galloway,	Near,	
Bailey,	Green,	Stout,	
Baker,	Ingersoll,	Strickland,	
Brown,	Lacy,	Tower,	
Butterfield,	McDermid,	Wilder,	
Carpenter,	Monroe,		20

Mr. Withey moved that the vote by which the Senate concurred in the amendment, striking out "Marshall S. Hadley," and inserting "Joseph L. Kelsey," be reconsidered;

Which motion prevailed.

Mr. Adair moved to amend by inserting "Elijah B. Clark, of Oakland;"

Which motion did not prevail.

Mr. Gale moved to amend by inserting "Charles Rich, of Lapeer;"

Which motion prevailed.

Mr. Stout moved that the House bill No. 9 be adopted as a substitute for the bill under consideration, and called the previous question thereon,

The called was sustained, and the question being on the adoption of the substitute, the same was not adopted, the following being the vote thereon;

#### YEAS.

Mr. Bailey, Baldwin, French,	Mr. Lacy, Lane, Mulholland,	Mr. Owen, Stout, Webb,	9
------------------------------------	-----------------------------------	------------------------------	---

#### NAYS.

Adair, Backus, Baker, Briggs, Brown, Butterfield, Carpenter, Coulter,	Mr. DeLand, Gale, Galloway, Green, Ingersoll, Jones, McDermid,	Mr. Monroe, Near, Strickland, Tower, Wilder, Williams, Withey,	22
--	--	--	----

The bill was then ordered to be engrossed for a third reading.

By unanimous consent, Mr. Baldwin, from the select joint committee to investigate the treasury department and the official acts of John McKinney, late State Treasurer, made a report thereon, accompanied by a statement of the evidence taken in the investigation.

The report was accepted, the committee discharged, and

On motion of Mr. DeLand,

The report and accompanying statement were ordered printed as a joint document of the Legislature.

On motion of Mr. DeLand,

The joint resolution for amendments to the constitution were

taken from the table and referred to the select committee on that subject.

The Senate then adjourned.

---

*Lansing, Wednesday, February 27, 1861.*

The Senate was called to order at 9 o'clock.

Prayer by Rev. Mr. Meyer.

Roll called : a quorum present.

**PETITIONS PRESENTED.**

By Mr. Backus: petition of G. Clark and 16 others, asking a repeal of the bounty on salt;

Referred to the committee on salt.

By Mr. McDermid : petition of S. B. Roman and 72 other citizens of Hillsdale county, praying that steps be taken to organize the militia of the State;

Referred to the committee on the militia.

By Mr. Mulholland: petition of O. Johnson, Lewis Danah and 15 others, citizens of the county of Monroe, asking for the repeal of the law to encourage the manufacture of salt;

Referred to the committee on State affairs.

Also, of J. A. Cousine, J. R. Perry and 26 others, for the same;  
Referred to the same committee.

By Mr. Stout: memorial of the Oakland County Agricultural Society, relative to tax for support of county agricultural societies;

Referred to the committee on agriculture.

By Mr. Tower: remonstrance of H. E. Tucker and 71 others, against the Pierson towns being set off from Montcalm county;

Referred to the committee on towns and counties.

**REPORTS OF STANDING COMMITTEES.**

By the judiciary committee :

The committee on the judiciary, to whom was referred

A bill to amend act number 187 of the session laws of 1859,

Have had the same under consideration, and would respect-

fully report the same back to the Senate, and recommend that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered printed, referred to the committee of the whole, and placed on the general order.

By the same committee:

The committee on the judiciary, to whom was referred

A bill relative to the letting of contracts by State officers, boards of control, inspectors or commissioners,

Have had the same under consideration, and would respectfully report the same back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill laid on the table and ordered printed.

By the same committee:

The committee on the judiciary, to whom was recommitted Senate bill No. 68, being

A bill to amend section 18, of chapter 175, of compiled laws, in relation to fees of jurors,

Have had the same under consideration, and would respectfully report the same back to the Senate with the following amendment: In the tenth and eleventh line of section eighteen, strike out the words "seventy-five," and insert the word "fifty," and in the eleventh line strike out the words "thirty-seven and a half," and insert "twenty-five," and so amended, recommend it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, the amendments concurred in, and the bill ordered to a third reading.

By the same committee:

The committee on the judiciary, to whom was referred

A bill to amend section 1 of an act entitled an act to authorize the business of banking, approved February 16, 1857,

Have had the same under consideration, and would respectfully report that they can perceive no special good to grow out of the proposed amendment, in promoting any of the objects so desirable—that of obtaining any investment of capital, in banking, under the present law—and therefore they report said bill back to the Senate, with the recommendation that it do not pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill laid on the table.

By the same committee :

The committee on the judiciary, to whom was referred Senate bill No. 71, being

A bill to amend sections 11 and 127, of chapter 117, of the compiled laws,

With instructions to strike out the last, or 127th section contained therein, have had the same under consideration, and would respectfully report the same back to the Senate with said section stricken out, in pursuance of said instruction, and ask to be discharged.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee :

The committee on the judiciary, to whom was referred House bill No. 87, being

A bill to provide for an additional circuit court commissioner in certain cases,

Have had the same under consideration, and would respectfully report the same back to the Senate, without recommenda-



tion, and ask to be discharged from further consideration of the same.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill laid on the table.

By the committee on finance :

The committee on finance, to whom was referred the memorial of the Legislative Assembly of the territory of Kansas, setting forth and explaining the necessities of the people of that territory, and the great calamity which has befallen them in the destruction of their crops, and the consequent almost entire destitution of a large portion of the population, and urging the importance of Legislative relief from this and other States ; have had the same under consideration, and respectfully report that your committee most deeply sympathise with the suffering people of Kansas, and most earnestly wish that it was in the power of this Legislature to afford, at least to some extent, the relief so emphatically demanded at the hands of every citizen, community, and State. It being impossible, however, under the Constitution of the State, to introduce any new bill at this time for the appropriation of money, or otherwise, it is not in the power of the Legislature to act upon the memorial by any grant of aid, even if the finances of the State would admit of it. Your committee, therefore, can only recommend—and they do most earnestly recommend—that the people of this State, in all parts of it, take such steps for raising voluntary contributions to supply in some measure the wants of that people, which, under other circumstances, might have been granted by the Legislature.

H. P. BALDWIN, *Chairman.*

Report accepted, and committee discharged.

By the committee on towns and counties :

The committee on towns and counties, to whom was referred petition of Marilla Parsons asking an alteration of the present

boundaries of the village of Corunna, in Shiawassee county, with a map of said village;

A bill to alter and limit the boundaries of the village of Corunna, in the county of Shiawassee;

Remonstrance of P. S. Lyman and 34 other tax-payers of the village of Corunna, against such alteration of the limits of said village,

Report that the portion of territory proposed to be set off is quite inconsiderable, and the reasons set up in the memorial are such as would justify a similar request from every tax-payer in every incorporated village in the State; we therefore report the several papers back to the Senate, recommend that the bill do not pass, and ask to be discharged from the further consideration thereof.

CHARLES V. DeLAND, *Chairman.*

The report was accepted, the committee discharged, and the petition, remonstrance and bill laid on the table.

By the same committee:

The committee on division of towns and counties, to whom was referred House bill, being

A bill to attach certain unorganized territory to the county of Iosco,

Respectfully report that said bill proposes to attach the unorganized county of Ogemaw to Iosco county, to which it is contiguous. There are no remonstrances against the bill in our possession, and the committee know no reason why the bill should not pass, report it back with that recommendation and ask to be discharged from the further consideration thereof.

CHARLES V. DeLAND, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on towns and counties:

The committee on division of towns and counties, to whom was referred House bill No. 71, being

A bill to organize the township of Ka-go-che-wan, in the county of Emmett,

Respectfully report that said bill proposes to organize township number 14 north, range 8 west. An examination of the map shows that the township thus designated is not in Emmett county, but in the center of Mecosta county. Emmett county is comprised of the territory north of the line of townships 33 north, and west of the line 4 west. The committee are of the opinion that even if the proper territory was described in the bill, the convenience of the public would be subserved by giving a pronounceable name to the proposed town. The committee return the bill to the Senate with a recommendation that it do not pass, and ask to be discharged from the further consideration thereof.

CHARLES V. DeLAND, *Chairman.*

The report was accepted, the committee discharged, and the bill laid on the table.

By the committee on towns and counties :

The committee on division of towns and counties, to whom was recommitted Senate bill, being

A bill to regulate the manner of attaching unorganized territory to organized counties for judicial and municipal purposes,

Report a substitute therefor, and recommend that the same do pass, and ask to be discharged from its further consideration.

CHARLES V. DeLAND, *Chairman.*

The report was accepted, the committee discharged, the substitute adopted, laid on the table and ordered printed.

By the committee on enrolled bills :

The committee on enrolled bills, to whom was referred

A bill to amend section fifty-five of an act entitled an act to provide for assessing property at its true value, and for collecting taxes thereon, approved February 14, 1853;

Also,

A bill to incorporate the city of Coldwater; and

Also,

A joint resolution relative to the Agricultural College,

Would respectfully report that they have examined the same and return them to the Senate correctly enrolled.

H. C. BRIGGS, *Chairman*.

The report was accepted, and the bills and joint resolution were signed and presented to the Governor.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to provide for draining certain swamps,

Report the same to the Senate with the recommendation that it be referred to the committee on public lands.

B. G. STOUT, *Chairman*

The report was accepted, the committee discharged, and the bill referred to the committee on public lands.

By the committee on State affairs:

The committee on State affairs, to whom was referred

Joint resolution authorizing the Commissioner of the State Land Office to issue his certificates;

Also,

Joint resolution authorizing employment of council in case of the prosecution of John McKinney,

Report the same back to the Senate with the recommendation that they do pass.

B. G. STOUT, *Chairman*.

The report was accepted, the committee discharged, and the joint resolutions were ordered to a third reading.

By the same committee:

The committee on State affairs, to whom was referred

Joint resolution appointing Frances C. Artault, resident emigrant agent at Paris,

Report that said Artault is now the agent of the Ontonagon Mining Association, at Paris; his appointment would incur no expense on the part of the State, but would be of advantage in encouraging emigration to this State as well as inducing foreign capital in the development of its resources.

Your committee herewith return the resolution with an

amendment, "provided that no expense shall hereby be incurred on account of such appointment."

B. G. STOUT, *Chairman*.

The report was accepted, the committee discharged, and the amendments concurred in, and the joint resolution ordered to a third reading.

By the committee on incorporations:

The committee on incorporations, to whom was referred House bill, being

A bill to amend the charter of the village of Hillsdale,

Have had the same under consideration, and would respectfully report the same back to the Senate, with a recommendation that the amendments of the House be concurred in. They return also the accompanying papers, and ask to be discharged from a further consideration thereof.

JOS. R. WILLIAMS, *Chairman*.

The report was accepted, the committee discharged, the amendments concurred in by the following vote:

#### YEAS.

Mr. Adair,  
Bailey,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,  
Coulter,

Mr. French,  
Gale,  
Green,  
Hazen,  
Jones,  
Lacy,  
Lane,  
McDermid,  
Monroe,

Mr. Near,  
Stout,  
Strickland,  
Tower,  
Webb,  
Wilder,  
Williams,  
Withey,

26

#### NAYS.

0

And the bill was ordered to be enrolled.

By the same committee:

The committee on incorporations, to whom was referred

A bill to provide for holding inquests on the view of dead bodies within incorporated cities in this State by coroners of the county in which they are situate,

Have had the same under consideration, and respectfully report the same back to the Senate without amendments, and

recommend the passage of the Senate. They ask to be discharged from a further consideration of the subject.

JOS. R. WILLIAMS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

MESSAGE FROM THE GOVERNOR.

The President announced the following:

EXECUTIVE OFFICE,  
*Lansing, February 26, 1861.* }

*To the Senate:*

I have approved and deposited in the office of the Secretary of State the following :

An act entitled an act making appropriations for the salaries of the State officers for the years 1861 and 1862;

Also,

An act entitled an act to authorize the Supreme Court to appoint a crier;

Also,

An act to change the name of the village of Willow Creek, in the county of Huron, to Huron City;

Also,

An act entitled an act to provide for the continuance of the State Geological survey,

Also,

An act entitled an act to amend an act entitled an act amendatory to the several acts in relation to the Wesleyan Seminary at Albion, and the Albion Female Collegiate Institute, approved Feb. 9, 1857;

Also,

An act entitled an act to amend section 3563, of the compiled laws, relative to proceedings in chancery, for the foreclosure of mortgages ;

Also,

An act entitled an act making appropriations for paying indebtedness incurred by repairing damage done by fire at the reform school ;

Also, .

An act entitled an act to provide for the superintendence and care of the Bay City and Tuscola county plank road ;

Also,

An act entitled an act to attach fractional township 17 north, of range 9 east, to the township of Caseville, in Huron county ;

Also,

An act entitled an act to extend the time for the collection of taxes in the township of Bingham, in the county of Clinton ;

Also,

A act entitled act to change the name of the First Congregational Society of the village of Ionia to First Presbyterian Society of Ionia ;

Also,

An act entitled an act to amend section 25, of title 4, and section 4 of title 11, of an act entitled an act to revise the charter of the city of Grand Rapids ;

Also,

An act entitled an act to authorize the First Presbyterian Society of Ann Arbor to borrow money and secure the payment thereof ;

Also,

An act entitled an act to amend act No. 248, of the laws of 1859, entitled an act to regulate fire, marine, life and health insurance companies, and their agents, associations, partnerships and individuals doing fire, marine, life and health insurance business, not incorporated by the State of Michigan, approved February 15, 1859.

AUSTIN BLAIR.

The message was laid on the table.

MESSAGES FROM THE OTHER HOUSE.

The President announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 27, 1861. }*

*To the President of the Senate :*

Sir:—I am instructed by the House to transmit the following bills, entitled

1. A bill to provide for the registration of births, marriages and deaths,

2. A bill for the continuation of an emigrant agency, and appropriation made therefor,

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table and the bills were read twice, and referred to the committee on State affairs.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, February 27, 1861. }

*To the President of the Senate :*

SIR:—I am instructed by the House to transmit the following bills:

1. A bill to amend an act entitled an act to provide for the drainage and reclamation of swamp lands by means of State roads and ditches, being act No. 117, of session laws of 1859;

2. A bill to organize the township of Bath, in the county of Muskegon;

3. A bill to organize a school district of the Wayne county farm, and appropriate the public moneys for school purposes for the education of poor children;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, the several bills read twice, the first named referred to the committee on public lands, the second to the committee on towns and counties, and the third to the committee on public instruction.



The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, February 27, 1861. }

*To the President of the Senate :*

SIR—I am instructed to return to the Senate the following:

A bill to authorize the transfer by the board of control, of a grant of land made to the State of Michigan by an act of Congress, passed June 3, 1856, to aid in the construction of a railroad from Marquette, on Lake Superior, to the Wisconsin State line, and the re-location of the same,

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, February 27, 1861. }

*To the President of the Senate :*

SIR:—I am instructed by the House to transmit the following bill:

A bill to provide for the formation of companies to construct canals or harbors and improve the same,

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message and bill were laid on the table, and the bill read twice and referred to the committee on internal improvement.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 27, 1861.* }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following bill, entitled

A bill to amend section 2, of an act entitled an act to revise the charter of the city of Grand Rapids, approved February 14, 1857 ;

Which the House has amended by adding thereto the following proviso :

*"Provided, That all unpaid taxes assessed on the property by this act set out of the corporate limits of the city of Grand Rapids, shall, when collected, be paid to the treasurer of said city ;"*

In the passage of which, as amended, the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the amendment concurred in, by the following vote :

**YEAS.**

Mr. Adair,	Mr. Coulter,	Mr. McDermid,	
Backus,	DeLand,	Moaroe,	
Bailey,	Frech,	Mulholland,	
Baker,	Galloway,	Near,	
Baldwin,	Green,	Stout,	
Briggs,	Hazen,	Strickland,	
Brown,	Jones,	Webb,	
Butterfield,	Lacy,	Wilder,	
Carpenter,	Lane,	Withey,	27

**NAYS.**

0

The bill was ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 27, 1861.* }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following entitled bill :

A bill to repeal section 2, of act No. 106, of the session laws of 1840, relative to the formation of school districts embracing lands lying on both sides of Grand River,

In the passage of which the House has not concurred, a majority of all the members elect not voting having voted therefor.

Very respectfully,

ED. W. BARBER,  
*Clerk of the House of Representatives.*

The message and bill were laid on the table.

¶ The President announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 26, 1861.* }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following bill, entitled

A bill to incorporate the city of Pontiac;

Which the House has amended by striking out the words "on the fourth of July then next, and hold the same four years," at the end of section 7, and inserting in place thereof, the following—"immediately after having been notified of their election, and the filing of their several bonds and oaths of office, and shall hold office until the fourth day of July, in the year 1865. All justice's dockets lawfully being, at the time this act shall take effect, in the hands of the justices of the peace residing in either of the wards or judicial districts of the said city, shall pass into and be in the possession of the justice of the peace elected for the same ward or judicial district whenever he shall be duly qualified ;

2. By striking out all of section 32, and inserting in lieu thereof the following : " Sec. 32. The qualifications of electors at city elections shall be the same as at general elections ;"

3. By striking out the proviso at the end of the third subdivision of section 45;

4. By striking out all of section 129;

5. By striking out all of section 168;

6. By striking out all of section 175;

7. By striking out section 94, and inserting the following in lieu thereof: "Sec. 94. Nothing in this act shall operate to prevent the holding of the annual meetings of the township of Pontiac, nor to prevent the township clerk and other officers of said township from keeping their offices in said city, as though this act had not passed;"

8. By striking out the word, "twenty," wherever it occurs in section 78;

9. By striking out the word "twenty," wherever it occurs in section 44;

10. By striking out of said section all after the words "fifty dollars a year for the clerk," and inserting as follows: "nor to deprive said clerk from any emoluments or fees to which he may be entitled by virtue of his office;"

In the passage of which, as amended, the House has concurred by a majority vote of all the members elect, and has ordered the same to take effect on the 30th day of March next, by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of House of Representatives.*

The message was laid on the table, and the amendments concurred in by the following vote:

YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baker,  
Baldwin,  
Brown,  
Butterfield,  
Carpenter,

Mr. Gale,  
Galloway,  
Green,  
Hazen,  
Jones,  
Lacy,  
Lane,  
McDermid,

Mr. Near,  
Owen,  
Stout,  
Strickland,  
Tower,  
Webb,  
Wilder,  
Williams,

Coulter,  
DeLand,

Monroe,  
Mulholland,

Withey,

29

NAYS.

0

And the bill was ordered to be enrolled.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. French moved that Senate bill, entitled

A bill to provide for selecting and locating the unsettled deficiency existing in the quantity of lands due to the State of Michigan under the act of Congress, approved May 20, 1826, and for any other land grant made by act of Congress to this State,

Be taken from the table and placed upon the order of third reading;

Which motion prevailed.

Mr. French moved that Senate joint resolution, entitled

Joint resolution authorizing the Commissioner of the State Land Office, to adjust with the general government the conflicting claims existing between the general and State governments in relation to the several land grants made to this State, and secure patents for all unsettled balances due this State,

Be taken from the table and placed upon the order of third reading;

Which motion prevailed.

Mr. Briggs moved to take from the table and place upon the order of third reading

House bill No. 13, entitled

A bill to provide for the incorporation of associations for the publication of periodicals, newspapers, books, tracts, documents, and other publications;

Which motion prevailed.

Mr. Strickland moved that Senate bill, entitled

A bill to amend 117 of the compiled laws,

Be taken from the table and placed on the order of third reading.

Which motion prevailed.

On motion of Mr. Carpenter,

Senate bill No. 80, being

A bill to amend section 1661, of chapter 52, of compiled laws, in relation to the manufacture and sale of spirituous or intoxicating liquors as a beverage,

Was taken from the table and ordered to a third reading.

On motion of Mr. Butterfield,

Leave of absence was granted to Senator Ingersoll.

On motion of Mr. DeLand,

The following concurrent resolution was taken from the table:

*Resolved*, (the House concurring,) That from and after 12 o'clock, noon, on Thursday, the 7th day of March next, the two Houses will transact no business other than for the President of the Senate and the Speaker of the House to sign enrolled bills for the approval of the Governor, and the entry of the same on the journals of the proper Houses by the Secretary and Clerk, and that the day of final adjournment of this Legislature shall be Saturday, the 9th day of March next, at 12 o'clock, noon, of that day.

Mr. Monroe moved to strike out "7th" and insert "14th;" also, to strike out "9th" and insert "16th;"

Which motion prevailed.

Mr. Baldwin moved to reconsider the last vote;

Which motion did not prevail.

The resolution was adopted.

Mr. Mulholland moved that Senate bill No. 97, being

A bill relative to laying out, altering and discontinuing highways,

And Senate bill No. 85, being

A bill to alter and amend chapter 22, of title 9, of the compiled laws, in relation to laying out, altering and discontinuing public roads and highways,

Be made the special order for Friday next at 11 o'clock;

Which motion prevailed.

Mr. Baker moved that the committee of the whole be discharged from the further consideration of the joint resolution

for the relief of Warren Thompson and others, and that it be placed upon the order of third reading.

Which motion prevailed.

### THIRD READING.

House bill No. 28, entitled

A bill to amend an act entitled an act to organize the township of Garden Island, and to change the name of said township,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

### YEAS.

Mr. Backus,	Mr. French,	Mr. Mulholland,
Bailey,	Gale,	Near,
Baker,	Green,	Stout,
Briggs,	Hazen,	Strickland,
Brown,	Jones,	Webb,
Butterfield,	Lacy,	Williams,
Carpenter,	McDermid,	Withey,
DeLand,	Monroe,	

28

### NAYS.

Mr. Adair,	Mr. Lane,	Mr. Wilder,
------------	-----------	-------------

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

House bill No. 119, being

A bill to provide for the preservation of bridges in certain cases,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

### YEAS.

Mr. Adair,	Mr. French,	Mr. Near,
Backus,	Gale,	Strickland,
Baker,	Hazen,	Tower,
Briggs,	Lacy,	Webb,
Brown,	Lane,	Wilder,
Butterfield,	McDermid,	Williams,
Carpenter,	Monroe,	Withey,
DeLand,	Mulholland,	

28

### NAYS.

Mr. Green,	Mr. Jones,
------------	------------

2

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

Senate bill No. 68, being

A bill to amend section 18, of chapter 175, of the compiled laws, in relation to fees of jurors,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

YEAS.

Mr. Adair,  
Backus,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,

Mr. Green,  
Hazen,  
Jones,  
Lacy,  
Lane,  
McDermid,

Mr. Monroe,  
Near,  
Strickland,  
Wilder,  
Williams,  
Withey,

19

NAYS.

Mr. Bailey,  
Carpenter,  
DeLand,  
French,

Mr. Gale,  
Mulholland,  
Owen,

Mr. Stout,  
Tower,  
Webb,

10

The title was agreed to.

Senate bill, entitled

A bill to provide for the equal valuation and assessment of property in the village of Hudson,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

YEAS.

Mr. Adair,  
Backus,  
Baker,  
Brown,  
Butterfield,  
Carpenter,

Mr. Coulter,  
Jones,  
Lacy,  
Lane,  
McDermid,  
Mulholland,

Mr. Near,  
Owen,  
Strickland,  
Tower,  
Webb,  
Wilder,

18

NAYS.

Mr. Bailey,  
Baldwin,  
Briggs,  
DeLand,  
French,

Mr. Gale,  
Galloway,  
Green,  
Hazen,

Mr. Monroe,  
Stout,  
Williams,  
Withey,

13

Mr. Green moved to reconsider the vote by which the bill was passed.



On motion of Mr. Carpenter,

The motion to reconsider was laid on the table.

Mr. DeLand moved to amend the title by prefixing the syllable "un" to the word "equal;"

Which motion did not prevail.

The title was agreed to.

House bill, entitled

A bill to change the name of the township of Little Sauble, in the county of Mason,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

#### YEAS.

Mr. Backus,	Mr. French,	Mr. Mulholland,	
Bailey,	Gale,	Near,	
Baker,	Galloway,	Owen,	
Baldwin,	Green,	Stout,	
Briggs,	Hazen,	Strickland,	
Brown,	Jones,	Tower,	
Butterfield,	Lacy,	Webb,	
Carpenter,	Lane,	Wilder,	
Coulter,	McDermid,	Williams,	
DeLand,	Monroe,	Withey,	30

#### NYAS.

0

The title was agreed to.

House bill entitled

A bill to authorize the conveyance of certain portions of sec. 16, in township 1 south, of range 11 west, in the county of Kalamazoo,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

#### YEAS

Mr. Adair,	Mr. DeLand,	Mr. Mulholland,	
Backus,	Gale,	Near,	
Bailey,	Galloway,	Owen,	
Baker,	Green,	Stout,	
Baldwin,	Hazen,	Strickland,	
Briggs,	Jones,	Tower,	
Brown,	Lacy,	Webb,	
Butterfield,	Lane,	Wilder,	
Carpenter,	McDermid,	Williams,	
Coulter,	Monroe,	Withey,	30

NAYS. . . . . 0

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

Senate bill No. 71, being

To amend sections 11 and 127 of chapter 117 of the compiled laws,

Was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

YEAS.

Mr. Adair,	Mr. Coulter,	Mr. Monroe,
Backus,	DeLand,	Mulholland,
Bailey,	French,	Near,
Baker,	Galloway,	Strickland,
Baldwin,	Green,	Tower,
Briggs,	Hazen,	Webb,
Brown,	Lacy,	Wilder,
Butterfield,	Lane,	Withey,
Carpenter,	McDermid,	

26

NAYS.

Mr. Gale,	Mr. Jones,	Mr. Stout,
-----------	------------	------------

Mr. Gale moved to reconsider the last vote,

Which motion did not prevail.

On motion of Mr. Strickland,

The bill was amended by adding thereto the words "relative to security of costs in justices' courts."

The title, as amended, was agreed to.

House bill No. 77, entitled

A bill to attach certain unorganized territory to the county of Iosco,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

YEAS.

Mr. Backus,	Mr. Coulter,	Mr. McDermid,
Bailey,	DeLand,	Monroe,
Baker,	French,	Mulholland,
Baldwin,	Gale,	Near,
Briggs,	Galloway,	Tower,
Brown,	Green,	Webb,
Butterfield,	Hazen,	Withey,
Carpenter,	Lacy,	

28

## NAYS.

Mr. Adair,  
Jones,

Mr. Strickland,

Mr. Wilder,

4

The title was agreed to, and the bill ordered to take immediate effect, by a vote of two-thirds of all of said Senators.

Senate bill No. 117, being

A bill to amend chapter 32, of the compiled laws, entitled of limited partnerships,

Was read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows :

## YEAS.

Mr. Backus,  
Bailey,  
Briggs,  
Brown,  
Coulter,Mr. DeLand,  
Green,  
Hazen,  
McDermid,Mr. Strickland,  
Webb,  
Wilder,  
Withey,

13

## NAYS.

Mr. Adair,  
Baker,  
Carpenter,  
Galloway,Mr. Jones,  
Lacy,  
Monroe,  
Mulholland,Mr. Owen,  
Stout,  
Tower,

11

On motion of Mr. DeLand,

The last vote was reconsidered, and the bill was recommitted to the committee on the judiciary.

Senate bill No. 80, being

A bill to amend section 1661 of chapter fifty-two of the compiled laws, in relation to the manufacture and sale of spirituous or intoxicating liquors as a beverage,

Was read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows:

## YEAS.

Mr. Baker,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,Mr. DeLand,  
French,  
Green,  
Jones,  
McDermid,Mr. Near,  
Tower,  
Webb,  
Wilder,

14

## NAYS.

Mr. Adair,  
Backus,Mr. Galloway,  
Lacy,Mr. Owen,  
Stout,

Bailey,  
Baldwin,  
Coulter,

Lane,  
Monroe,  
Mulholland,

Strickland,  
Williams,

14

Mr. French moved to reconsider the vote by which the bill was not passed ;

Which motion prevailed

On motion of Mr. French,

The bill was laid on the table.

Senate bill No. 59, being

A bill to incorporate the village of Constantine,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

#### YEAS.

Mr. Backus,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,  
Coulter,  
DeLand,

Mr. French,  
Gale,  
Galloway,  
Green,  
Jones,  
Lacy,  
Lane,  
McDermid,  
Monroe,

Mr. Mulholland,  
Near,  
Owen,  
Stout,  
Strickland,  
Webb,  
Wilder,  
Williams,  
Withey,

27

#### NAYS.

Mr. Adair,

1

The title was agreed to, and the bill ordered to take immediate effect, by a vote of two-thirds of all said Senators.

The Senate substitute for House bill No. 13, entitled

A bill to provide for the incorporation of associations for the publication of periodicals, newspapers, books, tracts, documents, and other publications,

Came up for a third reading, and,

On motion of Mr. DeLand,

Was recommitted to the committee on engrossment.

Senate joint resolution appointing Francis A. Artault emigrant agent in Paris,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Mulholland,
Backus,	French,	Near,
Bailey,	Galloway,	Owen,
Baker,	Green,	Stout,
Baldwin,	Hazen,	Strickland,
Briggs,	Jones,	Tower,
Brown,	Lacy,	Webb,
Butterfield,	Lane,	Williams,
Carpenter,	McDermid,	Withey,
Coulter,	Monroe,	

29

NAYS.

Mr. Gale,	
-----------	--

1

The title was agreed to.

Senate bill entitled

A bill to amend section 3836 of the compiled laws,

Came up for a third reading, and

On motion of Mr. Owen,

Was recommitted to the committee on the judiciary

House bill No. 84, being

A bill to provide for holding inquests on the view of dead bodies within incorporated cities in this State by coroners of the county in which they are situate,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

YEAS.

Mr. Backus,	Mr. Carpenter,	Mr. Lane,
Bailey,	Coulter,	Mulholland,
Baker,	DeLand,	Near,
Baldwin,	French,	Owen,
Briggs,	Jones,	Webb,
Butterfield,	Lacy,	

17

NAYS.

Mr. Adair,	Mr. Green,	Mr. Stout,
Brown,	Hazen,	Tower,
Gale,	McDermid,	Withey,
Galloway,	Monroe,	

11

The title was agreed to.

Senate bill, entitled

A bill to provide for selecting and locating the unselected de-

ficiency existing in the quantity of lands due to the State of Michigan under the act of Congress, approved May 20, 1826, and for any other land grant made by act of Congress to this State,

Came up for a third reading.

Mr. French, by unanimous consent, moved that section 2 be stricken out;

Which motion prevailed.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

#### YEAS.

Mr. Adair,	Mr. French,	Mr. Near,	
Backus,	Galloway,	Owen,	
Bailey,	Green,	Stout,	
Baldwin,	Hazen,	Strickland,	
Briggs,	Lacy,	Tower,	
Brown,	Lane,	Webb,	
Butterfield,	McDermid,	Wilder,	
Coulter,	Monroe,	Williams,	
DeLand,	Mulholland,	Withey,	27

#### NAYS.

Mr. Baker,	Mr. Gale,	Mr. Jones,	
Carpenter,			4

The title was agreed to, and the bill ordered to take immediate effect, by a two thirds vote of all said Senators.

Senate joint resolution, entitled

Joint resolution authorizing the Commissioner of the State Land Office to adjust with the General Government, the conflicting claims existing between the General and State governments, in relation to the several land grants made to this State, and secure patents for all unsettled balances due the State,

Came up for a third reading, and

On motion of Mr. Baldwin,

Was laid on the table.

The Senate took a recess till 2 o'clock, P. M.

## AFTERNOON SESSION.

The Senate was called to order at 2 o'clock.

Roll called: a quorum present.

The Senate resumed the order of

## THIRD READING.

Senate joint resolution, entitled

Joint resolution authorizing Commissioner of the State Land Office to issue certain certificates of land,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. French,	Mr. Near,
Baker,	Gale,	Owen,
Baldwin,	Galloway,	Stout,
Brown,	Green,	Strickland,
Butterfield,	Lacy,	Tower,
Carpenter,	McDermid,	Williams,
Coulter,	Monroe,	Wilder,
DeLand,		

22

## NAYS.

Mr. Briggs,	Mr. Jones,	Mr. Mulholland,
Withey,		

4

The title was agreed to, and the bill ordered to take immediate effect, by a vote of two-thirds of all of said Senators.

The following resolution:

*Resolved*, (the Senate concurring), That the Attorney General be authorized to employ counsel, if he shall deem it needful, to aid in the prosecution of John McKinney for embezzlement from the State Treasury, to procure the attendance of witnesses, and to certify the expense thereof to the Board of State Auditors, who shall audit the same, to be paid from the State Treasury upon the warrant of the Auditor General,

Was then read a third time and passed, a majority of the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. French,	Mr. Mulholland,
Backus,	Gale,	Near,

Bailey,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,  
DeLand,

Galloway,  
Green,  
Hazen,  
Jones,  
Lacy,  
McDermid,  
Monroe,

Owen,  
Stout,  
Strickland,  
Tower,  
Webb,  
Wilder,  
Withey,

28

NAYS.

0

Senate bill No. 79, being

A bill to reorganize the Agricultural College of the State of Michigan, and to establish a State Board of Agriculture, which shall have control of said college and lands belonging thereto, and be connected with the agricultural interests of the State;

Came up for a third reading.

Mr. Baldwin moved that the bill be laid on the table;

Which motion did not prevail.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baker,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,

Mr. Coulter,  
DeLand,  
Gale,  
Galloway,  
Green,  
Hazen,  
Jones,  
Lacy,

Mr. McDermid,  
Monroe,  
Near,  
Strickland,  
Tower,  
Wilder,  
Williams,  
Withey,

24

NAYS.

Mr. Baldwin,  
French,

Mr. Mulholland,  
Owen,

Mr. Stout,

5

On motion of Mr. Williams,

The title was amended by striking out all after the word "agriculture;" and, as thus amended, agreed to.

The bill was ordered to take immediate effect by a vote of two-thirds of all the Senators elect.

By unanimous consent, the President announced the following:



## MESSAGE FROM THE OTHER HOUSE.

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 27, 1861.* }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following bill, entitled

A bill to authorize the Detroit & Milwaukee Railroad Company to issue stock in place of the original stock of the Detroit & Milwaukee Railway Company,

Amended in the House as follows:

*Provided further,* That neither the foreclosure of the mortgage upon the road and franchises of said company, nor anything in the act in relation to mortgages against preferred stock in and delivery of goods by said railway company, approved February 10, 1859, or in this act shall be construed in any way to affect or change the rule of taxation as provided in the charter of said company, which shall continue to be one per cent. upon the capital stock originally paid in, and upon such stock as may hereafter be paid into said company;

In the passage of which, as amended, the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the amendments concurred in by the following vote:

## YEAS.

Mr. Adair,  
 Bailey,  
 Baker,  
 Baldwin,  
 Briggs,  
 Brown,  
 Butterfield,  
 Carpenter,

Mr. French,  
 Gale,  
 Galloway,  
 Green,  
 Hazen,  
 Jones,  
 Lacy,  
 McDermid,

Mr. Near,  
 Owen,  
 Stout,  
 Strickland,  
 Tower,  
 Webb,  
 Wilder,  
 Williams,

Coulter,  
DeLand,Monroe,  
Mulholland,

Withey,

29

NAYS.

0

The title was agreed to, and the bill, as amended, ordered to take immediate effect, by a vote of two-thirds of all of said Senators.

The bill was ordered to be enrolled.

## SPECIAL ORDER.

On motion of Mr. Withey,

The Senate went into committee of the whole on the special order,

Mr. Butterfield in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report :

The committee of the whole have had under consideration Senate joint resolution No. 8, entitled

Joint resolution to authorize the Board of State Auditors to audit and allow the claim of William Beard in the matter of the improvement of navigation over the sand flats of the Muskegon river, and to authorize the Auditor General to draw his warrant on the State Treasurer for such amount as may be allowed,

Have made some progress therein, but, not having gone through therewith, have directed their chairman to report that fact to the Senate, and ask leave to sit again.

I. H. BUTTERFIELD, *Chairman*.

The report was accepted, and the committee granted leave to sit again, for the further consideration of the bill.

The Senate then adjourned.

---

*Lansing, Thursday, February 28, 1861.*

The Senate was called to order at 9 o'clock.

Prayer by the Rev. Mr. Merrill.

Roll called : a quorum present.

## PETITIONS PRESENTED.

By Mr. French : petition of Erastus Hussey, M. W. Tomlin-

son, John Calahan and 27 others, asking the passage of a law requiring the registration of births and deaths;

Referred to the committee on State affairs.

By Mr. Adair: petition of sundry persons, praying for relief against the taxes and other burthens imposed upon the people of the 9th ward, Detroit, Feb. 16, 1861;

Referred to the committee on incorporations.

By Mr. Adair: petition for the relief against taxes and other burthens imposed under color of the revised charter upon the people of the 9th ward of Detroit;

Referred to the same committee.

By Mr. DeLand: petition of John M. Cole and 57 others, citizens of Bushnell, Montcalm county, for the detaching of the town of Pierson from said county;

Referred to the committee on towns and counties.

Also, petition of the Board of Supervisors of Jackson county, to repeal the salt bounty;

Referred to the committee on salt.

By Mr. Baldwin: petition of F. Buhl, N. P. Jacobs, G. J. Fellers and 16 others, citizens of Detroit, for the repeal of the salt bounty law;

Referred to the same committee.

Mr. Stout presented the following remonstrance in behalf of the Regents of the University, against the passage of Senate bill entitled "a bill to repeal act No. 143 of the session laws of 1859, relating to the University interest fund:"

**REMONSTRANCE** in behalf of the Board of Regents of the University against the passage of the Senate bill entitled "a bill to repeal act No. 143, of the session laws of 1859, relating to the University Interest Fund.

This remonstrance of the undersigned, in behalf of the Regents of the University, respectfully represents that in 1837 the Legislature, in the act organising the University, enacted that the University should consist of three departments; one of literature, science and the arts; one of law, and one of medicine. The first mentioned of these was established in 1841, with two

professors and a freshman class of eleven students. Afterwards the medical department was established. The law department, for want of means to support it, was not established until after, and in consequence of the passage of the act which the Legislature is now called upon to repeal, and but for the passage of that act it would not yet have been established. For several years previous to 1853, the State officers had withheld from the University the interest of \$100,000 of the proceeds of the sales University lands. In 1853, believing that Congress had granted and the State accepted the donation of two townships of land, with the understanding by both parties, and upon the condition that if the State would, at its own expense, establish a University, the United States would donate said lands, the income from the proceeds of the sales of which should be sacredly devoted to its support, the Legislature of that year passed act No. 60 relative to the University interest fund, whereby the entire amount of the interest that had accrued since December 31, 1852, and that might thereafter accrue upon the whole amount of University lands sold or that might be thereafter sold, should be paid to the treasurer of the University. This act was limited in its operation to two years, and expired on the 31st day of December, 1854. In 1855, act No. 73 of that year was passed, extending the provisions of act No. 60, of 1853, two years longer, or until December 31, 1856. In 1857 the Legislature passed act No. 56, extending the same provision as to the payment of University interest four years, or until December 31, 1860.

In 1859, the Regents, thinking it was time that this matter should be definitely and permanently settled, and being urged to establish the law department of the University, in accordance with the act of the Legislature providing for the organization and government of the University, which they did not deem it prudent to do, until the Legislature should give some assurance upon which they might rely, that the University income would not be reduced by legislative action or non-action; consent to be prepared and presented to the Legislature of that year, a

memorial which was printed as House Document No. 1, of which the following is a copy :

MEMORIAL of the Board of Regents of the University.

*To the Legislature of the State of Michigan :*

This Memorial of the Regents of the University of Michigan, would respectfully represent to your Honorable Body that by an Act of the Congress of the United States, entitled "An Act concerning a Seminary of Learning in the Territory of Michigan," approved May 20, 1826, it was provided that "the Secretary of the Treasury be authorized to set apart and reserve from sale, out of any of the public lands within the Territory of Michigan to which the Indian title may have been extinguished, and not otherwise appropriated, a quantity of land not exceeding two the entire townships, for the *use and support of a University* within Territory aforesaid, and *for no other use or purpose whatsoever*;" That under this grant, forty-four thousand five hundred and nineteen and twelve one-hundredths acres were selected for the use and support of the University, the proceeds of the sales of which constitute the present University fund. The first constitution adopted by the people of Michigan, in 1835, under which she was admitted as a State into the Union, contained an entire article, consisting of five sections, devoted to the subject of education, which, among other things, provided that "the Legislature should" encourage, by all suitable means, the promotion of intellectual, scientific and agricultural improvement; that the proceeds of all lands that had been or thereafter might be granted by the United States to this State for the support of Schools, which should thereafter be sold or disposed of, should be and remain a perpetual fund, the interest of which, together with the rents of all unsold lands, should be inviolably appropriated to the *support* of Schools throughout the State. The fifth section of said article reads as follows: "The Legislature shall take measures for the protection, improvement, or other disposition of such lands as have been or may hereafter be reserved or granted by the United States to this State for the sup-

port of a University; and the funds accruing from the rents or sale of such lands, or from any other source for the purpose aforesaid, shall be and remain a permanent fund for the support of said University, with such branches as the public convenience may hereafter demand, for the promotion of literature, the arts and sciences, and as may be authorized by the terms of such grant; and it shall be the duty of the Legislature, as soon as may be, to provide effectual means for the improvement and permanent security of the funds of said University."

The object of the grant of these lands by Congress, as expressed by the grant itself, was for the *use and support of a University*, and for no other use or purpose whatsoever. This language clearly implied that a University was to be *created and established* by the State, which could *use and be supported* by this fund, and the State, by accepting the grant, became bound to provide and establish a University to use and be supported by this fund. The first constitution of the State provided that the funds arising from the sale of these lands, and such others as might be reserved or granted to this State for the support of a University, should be and remain a permanent fund for the support of said University, and that it should be the duty of the legislature to provide effectual means for the improvement and permanent security of said funds. These legal provisions clearly show that the Congress which granted these lands, and the people of the State who accepted them, understood the grant to be, not for the establishment of a University, but for the support of one, to be created and established by the State. As a further evidence of the understanding of this grant by the people of the State, the Legislature, by an act approved March 18, 1837, provided that as soon as the State should provide funds for that purpose, the Board of Regents should proceed to the erection of the necessary buildings for the University, on the ground to be designated by the Legislature, and in such manner as should be provided by law. This shows that the Legislature of Michigan, in 1837, understood and intended that the State should provide "funds" for the erection of the necessary

buildings for the University, and that the proceeds of the lands granted by Congress for the use and support of the University, should forever be and remain a permanent fund, no part of the principal of which should be expended in the establishment of a University, or in the erection of buildings for the same; and that in accordance with the grant made by Congress, the entire income arising from that fund should be sacredly devoted to the use and support of a University. It will be seen that the grant of public lands by Congress to the State for the support of schools, from which the primary school fund originated, was in similar terms, and contained no words indicating more clearly that they were to be used for the support, and not for the erection and establishment of primary schools, than are used by Congress, by the constitutional convention of Michigan, and by the Legislature, to declare that the grant to the State for the University was to be for its support, and not to erect buildings in different parts of the State for the establishment of a University and its branches, and yet no one, in or out of the Legislature, or the constitutional convention, has ever thought of reducing the principal of this fund by appropriations to build school-houses all over the State; on the contrary, the constitution provides, and the practice of the State has always harmonized with that provision, that the proceeds of all lands that have been or hereafter may be granted by the United States to this State for the support of schools, shall be and remain a perpetual fund, the interest of which, together with the rents of all unsold lands, shall be inviolably appropriated for the support of schools throughout the State. In 1838, the Legislature authorized the State Treasurer to deliver to the Board of Regents for the use and benefit of the University and its branches, special certificates of stock to the amount of \$100,000, reimbursable after twenty years, in equal annual instalments of not less than ten nor more than fifteen years, bearing interest at six per cent., payable semi-annually in New York, and for the payment of the interest, and redemption of the principal, the faith and credit of the people of this State were pledged. The

same act pledged all the "disposable income" from the University fund for the payment of the said interest, and the redemption of the said stock. Here was the first departure from the analogy of the legislation of this State relative to the primary school fund, and the University fund. The object of this legislation was to provide funds for the erection of buildings for the University and its branches, and all the "disposable income" of this University fund was pledged for the payment of this hundred thousand dollar loan, and its interest. No such legislation was ever had in relation to the primary school fund. The income of that fund has always been sacredly devoted to the support of the primary schools, and the State or (what is the same thing) the districts, have provided the school houses. What did the Legislature mean by the "disposable income" of the University fund? Did they intend, after erecting the University buildings, to shut them up and let them stand idle, and appropriate the whole income to the payment of this claim, until the \$100,000 and the interest upon it should be fully paid from this income? Certainly not. No one will contend for this, for it would require the entire income for not less than ten or twelve years to do this. And it would be a strange policy that would borrow money, and pay interest upon it, to erect buildings not intended to be used for that length of time. It would have been much wiser to have waited until the income had accumulated sufficiently to pay for the erection of the buildings. The Legislature of 1838 could only have intended that the surplus income, after paying all the expenses of supporting the University, with its department of literature, science and the arts, its department of law, and its department of medicine, as provided for by the 8th section of an act entitled "an act to provide for the organization and government of the University of Michigan," approved June 21, 1837, which enacts that the University shall consist of these three departments, should be devoted to the payment of the loan. The law department has not yet been established, and the regents find themselves seriously embarrassed, by the reflection, that if they should estab-



lish it, the Legislature of 1860, or any future Legislature, may withhold the interest on the \$100,000, and thus compel them to discontinue the law department, or the medical department of the University, or to cripple or dwarf the institution in some other way. The entire income of the University is required to pay its ordinary current expenses, so that there is not, and never will be, any "disposable income" to be appropriated to the payment of the \$100,000. Besides, the library needs, and should receive, liberal additions, which the income of the institution at the present will not permit. While Yale College has a library of 63,500 volumes, Harvard University a library of 116,500 volumes, which is annually being increased by an expenditure of about \$5,000, the University of Michigan has but about 7,000 volumes. We cannot think that the State has any desire or intention to cripple or embarrass the action of the regents, whom the people have elected to the important trust of promoting the higher education of their sons; and would it not be much more creditable, as well as honorable to the State, to be able to say at once that it established the University, at its own expense, than to have it said that after Congress had generously provided the means to support a University, the State had appropriated one-fifth of those means to defray the expenses which Congress (its benefactor) had reasonably expected would be paid by the State itself, and which the Legislature, and the constitutional convention have given strong assurance should be done. Indeed, the action of the people in the last constitutional convention preserves the integrity of the State in this respect, by declaring in the 2d section of the 8th article of the constitution, that "the proceeds from the sale of *all lands* that had been, as well as of all that might thereafter be granted by the United States to this State for educational purposes, shall be and remain a perpetual fund." The relief herein asked for is not only just to the University, and due from the State, but it is essential to the complete organization and development of the institution with the three departments provided for by law. The State has been liberal, though perhaps none too much so,

in making appropriations for the erection of buildings for Asylums; an Agricultural College, and other public uses; also in making loans to railroads and other objects, and in paying these loans without the hope or the expectation of reimbursement. And shall it longer continue to cripple one of its noblest institutions by holding it in a paralyzed position, from fear that some future legislature will refuse to pay the annual income of seven thousand dollars, which the University is at present receiving, but the legal right to which will expire before the meeting of another legislature. Thus far, from estimates which have been made, we are told that the University has cost the State nothing. For facts and figures on this point, we beg leave to refer your honorable body to Senate Document No. 2, of the session of 1855. We therefore approach your honorable body with confidence, and ask you to relieve us and the University from future embarrassment in the execution of our trust, by enacting a law, the effect of which shall be to enable the University to receive permanently the interest on the whole amount of the proceeds of the sales of the lands granted by the United States to this State for the use and support of a University, and thus redeem the pledge given by the first and present Constitution of the State, that "the funds accruing for the rent or sale of all such lands as have been or may hereafter be granted by the United States to this State for the support of the University, should be and remain a *permanent fund* for the support of said University."

(Signed,)

HENRY P. TAPPAN, *Pres't of the Board;*

BENJAMIN L. BAXTER, Regent, 1st District;

J. EASTMAN JOHNSON, " 2d "

LEVI BISHOP, " 3d "

DONALD MCINTYRE, " 4th "

E. LAKIN BROWN, " 5th "

HENRY WHITNEY, " 6th "

LUKE H. PARSONS, " 7th "

O. L. SPAULDING, " 8th "

WM. M. FERRY, JR., " 9th "

*Resolved*, That the memorial be adopted, and that the Secretary be instructed to prepare four certified copies of the same—one for the Senate, one for the House of Representatives, one for the outgoing Governor, and one for the incoming Governor.

I certify the foregoing to be a true copy of the memorial and accompanying resolution adopted by the Board of Regents of the University of Michigan, in session December 21st, 1858.

D. L. WOOD, *Secretary*.

After a full and careful consideration of the subject, the Legislature of 1859 passed Act No. 143, which the bill now before the Senate proposes to repeal, and which simply continues the policy of paying the University the interest on all the proceeds of University lands sold without limitation as to time. The principle embodied in these several acts, has received the approval of Governors McClelland, Bingham and Wisner, and was advocated and supported by Governor Parsons in the House, and by the present Governor and Lieutenant Governor in the Senate, and by many of the wisest and best men of our State, in both branches of the Legislature; and the undersigned humbly submits that it ought not to be disturbed.

After the passage of that Act, in the full belief that it would not be disturbed, and regarding its passage in response to the memorial of the Board of Regents hereinbefore set forth, as a final settlement of the matter, and with confidence that the University would thenceforth receive permanently the interest on the whole amount of the proceeds of the sales of University lands; the Board of Regents established the law department of the University, which went into operation in October 1859, with a corps of three Professors, selected from the bar of our own State; and have purchased for it a respectable library, and although this department is now only in the second year of its existence, it has a class numbering about one hundred and fifty students, and exhibits a measure of success unparalleled in the history of law schools. If the Legislature pass the bill now before the Senate, this flourishing law school must be discontinued, and the University be again compelled to stand as a

tripod upon two legs, until some other Legislature can be induced to restore its finances to their present appropriate condition, which is alike creditable to the State, just to the University, and honorable towards the United States, by which it has been endowed. Against the passage of the bill now before the Senate and hereinbefore referred to, the undersigned, in behalf of the Board of Regents, and of the University, begs leave most respectfully, but earnestly, to protest; believing it to be unwise and at war with the best interests of the State, as well as a breach of the trust assumed by the State, and an exhibition of bad faith thus to destroy the symmetry and seriously to impair the usefulness of one of the most valuable, successful and creditable educational institutions of our State, merely for the purpose of placing to the credit of the General Fund, a few thousand dollars, which of right do not belong to it.

All of which is respectfully submitted, in behalf of the Board of Regents of the University, by

DONALD MCINTYRE,

Regent from the Fourth Judicial District, and Chairman of the Finance Committee of the Board of Regents.

Lansing, February 28, 1861.

The memorial was ordered printed in the journal, and referred to the committee on public instruction.

#### REPORTS OF STANDING COMMITTEES.

By the committee on State affairs:

The committee on State affairs, to whom was referred House bill No. 82, relative to the emigrant agency,

Report that they have had the same under consideration, and herewith return it to the Senate with the recommendation that it do pass.

B. G. STOUT, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on enrolled bills:

The committee on enrolled bills, to whom was referred for engrossment House bill No. 13, entitled

A bill to provide for the incorporation of associations for the publication of periodicals, newspapers, books, tracts, documents and other publications.

Beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate correctly engrossed.

H. C. BRIGGS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on public lands :

The committee on public lands, to whom was referred House bill, entitled

A bill to amend an act to provide for the settlement and drainage of swamp lands, by actual settlers, being act No. 229, of session laws of 1859,

Have had the same under consideration, and respectfully report the same back to the Senate, with certain amendments attached thereto, and recommend its passage with said amendments, and ask to be discharged from the further consideration of the same.

EZRA HAZEN, *Chairman.*

The report was accepted, the committee discharged, the amendments concurred in, and the bill ordered to a third reading.

By the committee on public lands :

The committee on public lands, to whom was referred

A bill to amend an act to provide for the draining and reclamation of swamp lands, by means of State roads and ditches, being act No. 117 of session laws of 1859,

Respectfully report that they have had the same under consideration, and return the same to the Senate without amendment, and recommend its passage.

EZRA HAZEN, *Chairman.*

The report was accepted, the committee discharged, and the bill made the special order for Saturday next, at 10 o'clock.

## COMMUNICATIONS FROM STATE OFFICERS.

The President announced the following :

STATE LAND OFFICE,  
Lansing, February 27, 1861. }

HON. JAMES BIRNEY, *President of the Senate*:

SIR:—Complying with the resolution of the Senate of the 25th inst., requesting information as to the amount of receipts for the sales of swamp lands, together with the amount applied to the construction of roads since the 12th of February, 1859, I beg to present the following statement:

Cash received for sales of swamp lands since February 12th, 1859, .....	\$76,694 76
Value of lands applied to the construction of roads since Feb'y 12th, 1859, (23,841 66-100 acres),...	29,801 82
Total cash and lands, .....	<u><u>\$106,496 58</u></u>

Very respectfully yours,  
SAMUEL S. LACEY,  
*Commissioner.*

The communication was laid on the table.

## MESSAGE FROM THE OTHER HOUSE.

The President announced the following :

HOUSE OF REPRESENTATIVES,  
Lansing, February 28, 1861. }

To the President of the Senate:

SIR:—I am instructed by the House to transmit the following bills:

1. A bill to amend section 1 and 2 of the act entitled an act to amend certain sections of an act to establish a house of correction for juvenile offenders, approved February 10, 1855, which act hereby amended was approved February 10, 1857;

2. A bill to amend an act entitled an act for the encouragement of agriculture, manufacture and the mechanic arts, approved March 16, 1849, and the act amendatory thereto, approved February 6, 1855;

Which have passed the House by a majority vote of all the

members elect, in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bills read twice, by title, the first named referred to the committee on the house of correction, and the last to the committee on manufactures.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, February 28, 1861. }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following bill :

A bill to amend section 2483, chapter 113, compiled laws, regulating the recording and authentication of notices of lis pendens,

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, February 28, 1861. }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following entitled bill :

A bill to change the name of John Gregg to Charles Welcome Hill;

Which the House has amended by adding thereto the following proviso:

" *Provided*, That this act shall not take effect until the said Welcome Hill shall execute, acknowledge and file in the office

of the judge of probate, of the county of Jackson, an instrument in writing, under his hand and seal, adopting the said John Gregg as his lawful heir: *And provided further*, That in such case the said Welcome Hill shall thereupon stand in the place of a parent to said child-in-law, and be liable to all the duties, and entitled to all the rights of a parent thereto, and the said John Gregg shall thereupon become his heir-at-law, the same as if his real child;"

In the passage of which, as amended, the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of House of Representatives.*

The message was laid on the table, and the amendment concurred in by the following vote:

YEAS.

Mr. Adair,	Mr. DeLand,	Mr. McDermid,
Bailey,	Gale,	Mulholland,
Baker,	Galloway,	Near,
Briggs,	Green,	Strickland,
Brown,	Hazen,	Webb,
Butterfield,	Jones,	Wikder,
Carpenter,	Lacy,	Williams,
Coulter,	Lane,	

23

NAYS.

Mr. Monroe, Mr. Stott,

2

The bill was ordered to be enrolled.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, February 28, 1861. }

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following entitled bills:

1. A bill to authorize the Jackson county agricultural society to borrow money and mortgage certain real estate to secure the payment of the same;



2. A bill to legalize a mortgage executed by the trustees of the first congregational society of Newark;

3. A bill authorizing the trustees of the Methodist Episcopal Church of Muskegon, in the county of Muskegon, to mortgage their church edifice and lands;

4. A bill to authorize the trustees of the Second Society of the Methodist Episcopal Church of Detroit to mortgage real estate;

5. A bill to amend an act to authorize the conveyance of a certain lot in the village of Lansing, to the trustees of the society of the Church of the United Brethren in Christ, in said village, approved Feb. 4, 1859;

6. A bill to amend an act entitled an act to amend section 1 of an act to incorporate the village of Hastings, approved February 18, 1855;

7. A bill to repeal an act entitled an act to amend an act entitled an act to reorganize the county of Emmet, approved February 18, 1858;

8. A bill to provide for the manner of equalizing the assessment rolls by the board of supervisors of the county of Wayne;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the several bills were read twice, by title,

The first named bill was referred to the committee on agriculture;

The second and sixth were ordered to a third reading;

The third, fourth and eighth, referred to the committee on the judiciary;

The fifth to the committee on State affairs;

And the seventh to the committee on towns and counties.

The President also announced the following:

HOUSE OF REPRESENTATIVES,  
Lansing, February 28, 1861. }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following bill entitled:

A bill to amend an act entitled "an act to revise the charter of the city of Detroit," approved Feb. 5, 1857;

Which the House as amended as follows:

1. Strike out, on page 9, lines 36 to 44 inclusive;
2. Strike out lines 33 to 45 inclusive, of section 35;
3. Strike out all of section 21, after the word "that," in line 1, and insert in place thereof the words "there shall be added to chapter eight, to stand as section thirty six, the following words:

"Sec. 36. The expenses of constructing and repairing plank cross-walks, in the several wards, shall be defrayed from the district road fund, mentioned in subdivision 8 of section 1, of this chapter;"

4. Strike out all of section 19, after the word "as," in the first line, and the word "section," in the same line;

5. Strike out all of section 19, after the word "wards," in line 2, and insert in place thereof the following:

"Sec. 22. The Common Council shall also have power

"1st. To regulate the construction of stone or brick buildings, the thickness of walls and the size of bricks.

"2d. To adopt such measures as may be deemed expedient to perpetuate evidence of title of real estate, by the preservation of maps, plats, records and papers relating thereto.

"3d. To appoint, on the nomination of police commissioners, policemen and watchmen, who shall hold their office during the pleasure of the Common Council, unless sooner removed by said board as aforesaid. The policemen so appointed shall have power to serve any summons, subpoena, warrant, order, notice, paper, or process whatever, issued or directed by any justice of the peace, judge, court, or officer whatever, in the execution of the laws of the State for the prevention of crimes and the punishment of criminal offenders, or of the police laws and

regulations of the State or city, in any proceeding collateral to or connected with the execution of such general laws and police laws and regulations; they shall have power to serve any process for any violations of the city ordinances, and generally shall have and exercise the powers, as conservators of the peace, which township constables, under the general laws of the State, possess; but such policemen shall have no power to serve any paper or process in any civil action, or any paper or process connected therewith. The Mayor, or acting Mayor, shall make no nominations of policemen or watchmen, unless thereto requested by the police commissioners."

In the passage of which, as amended, the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message and bill were laid on the table.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Stout,

The vote by which the Senate concurred in the amendments of the House to the bill to incorporate the city of Pontiac, was reconsidered.

Mr. Stout moved to amend the amendment of the House to section 7, by restoring the words stricken out by the House, and striking out the following portion of the amendment, inserted in lieu thereof: "immediately after having been notified of their election, and the filing of their several bonds and oaths of office, and shall hold office until the fourth day of July, in the year 1865; also, by adding the following words at the end of said section seven: "provided that at said first election one additional justice of the peace shall be elected in each of said wards or districts, to hold his office from the time he shall be elected and qualified, until the fourth day of July, 1861;"

4. Which motion prevailed.

The House amendments, as thus amended, were concurred in by the following vote:

## YEAS.

Mr. Adair,	Mr. Coulter,	Mr. Mulholland,
Backus,	DeLand,	Near,
Bailey,	Gale,	Owen,
Baker,	Galloway,	Stout,
Baldwin,	Green,	Strickland,
Briggs,	Jones,	Tower,
Brown,	Lacy,	Webb,
Butterfield,	McDermid,	Wilder,
Carpenter,	Monroe,	Williams,

21

## NAYS.

0

Mr. Strickland moved to take from the table Senate bill, entitled

A bill to change the name of Sarah B. Blanchard and Charles Blanchard, to Sarah B. Markham and Charles Markham,

And to place the same on the order of third reading;

Which motion prevailed.

Mr. Brown moved to take from the table Senate bill No. 69, being

A bill to amend an act entitled an act to incorporate the village of Kalamazoo, and the acts amendatory thereto, approved April 1st, 1850, and the acts amendatory thereto;

Which motion prevailed.

Mr. Brown then offered a substitute for the bill, which was the original bill with several clerical errors corrected;

Which substitute was adopted and placed on the order of third reading.

Mr. Briggs moved to discharge the committee of the whole from the further consideration of Senate bill No. 84, and that the same be placed on the order of third reading;

Which motion prevailed.

Mr. Carpenter moved that the committee of the whole be discharged from the further consideration of Senate bill No. 81, and that it be ordered to a third reading;

Which motion prevailed.

Mr. French moved that the committee of the whole be dis-

charged from the further consideration of Senate bill No. 124, being

A bill to preserve the purity of elections,

And that the same be placed on the order of third reading;

Which motion prevailed.

Mr. DeLand moved that Senate bill No. 78, being

A bill to amend an act relative to the State Prison, approved February 12th, 1857, being sections 6281, 6282 and 6283 of compiled laws,

Be taken from the general order, and placed on the order of third reading;

Which motion prevailed.

Mr. DeLand moved that the committee of the whole be discharged from the further consideration of Senate bill No. 77, being

A bill to amend chapter 170, of revised statutes of 1846, chapter 200, compiled laws, by adding 4 new sections thereto,

And that the same be placed on the order of third reading.

Mr. Coulter moved that the committee of the whole be discharged from the further consideration of Senate bill No. 102, being

A bill to authorize the board of supervisors of the county of Ontonagon to raise money by tax or otherwise, for the protection and improvement of the harbor at the mouth of the Ontonagon river,

And that the same be placed on the order of third reading;

Which motion prevailed.

Mr. Coulter moved that the committee of the whole be discharged from the further consideration of Senate bill No. 101, entitled

A bill to amend an act incorporating the Boston and Pittsburg mining company, approved March 18, 1848,

And that the same be placed on the order of third reading;

Which motion prevailed.

Mr. Withey, by unanimous consent, submitted the following report:

The special committee of five, on amendments to the Constitution, to whom was referred

Joint resolution to provide for an amendment of the Constitution, so as to authorize the establishment of a State Bank, with branches, or some general system of banking,

And also another joint resolution to provide for sundry amendments to the Constitution,

Respectfully report that they have had the same under consideration, and herewith submit a substitute for all the amendments, covering section 2, of article 6, increasing the judges of the supreme court to five members ;

Also, section 3, of said article, so as to provide for reserved cases ;

Also, section 1, of article 9, in reference to salaries of State officers, making what your committee deem a just discrimination, and, as they believe, will meet the approbation of the people of the State ;

And also, sections 1, 2 and 4, of article 15, so as to authorize a single bank, with branches, and preserving the general banking law.

They also submit an amendment of section 2, of article 20, providing the time when amendments shall take effect, by striking out the word "political."

Your committee earnestly recommend the passage of the joint resolution herewith submitted, as a substitute for those referred to the committee.

S. L. WITHEY, *Chairman.*

The report was accepted, the committee discharged, and on motion of Mr. DeLand,

The substitute was adopted, laid on the table, and ordered printed in the journal, as follows :

**JOINT RESOLUTION** to provide for amendments of article six, sections two and three; article nine, section one; article fifteen, sections one, two and four; article twenty, section two, of the constitution of the State of Michigan.

*Resolved by the Senate and House of Representatives of the State of Michigan,* That the following amendments be and the same

are hereby proposed to the constitution of the State of Michigan, that is to say:

That section two of article six be amended so as to read as follows:

Sec. 2. For the term of six years and thereafter, until the Legislature otherwise provide, the judges of the several circuit courts shall be judges of the supreme court, four of whom shall constitute a quorum. A concurrence of three shall be necessary to a final decision. After six years, the Legislature may provide by law for the organization of a supreme court, with the jurisdiction and powers described in this constitution, to consist of one chief justice, three associate justices, to be chosen by the electors of the State. Such supreme court, when so organized, shall not be changed or discontinued by the Legislature for eight years thereafter. The judges thereof shall be so classified that but one of them shall go out of office at the same time. Their term of office shall be eight years: *Provided*, The Legislature may, in its discretion, at any time increase the number of judges to five, in which case the term of office shall be ten years; and the Legislature shall so classify the said five judges as that but one judge shall go out of office at the same time.

That section 3 of article 6 be amended so as to read as follows:

Sec. 3. The supreme court shall have a general superintending control over all inferior courts, in such manner as the Legislature may prescribe, and shall also have power to issue writs of error, habeas corpus, mandamus, quo warranto, procedendo, and other original and remedial writs, and to hear and determine the same. In all other cases it shall have such appellate jurisdiction only as the Legislature may prescribe.

That section 1, of article 9, of the Constitution, be amended so as to read as follows:

Section 1. From and after January first, 1863, the Governor shall receive an annual salary of \$2,000. The judges of the circuit court shall each receive an annual salary of \$2,000. The State Treasurer shall receive an annual salary of

\$1,500. The Auditor General shall receive an annual salary of \$1,500. The Superintendent of Public Instruction shall receive an annual salary of \$1,200. The Secretary of State shall receive an annual salary of \$1,000. The Commissioner of the Land Office shall receive an annual salary of \$1,000. The Attorney General shall receive an annual salary of \$1,000. They shall receive no fees or perquisites whatever, for the performance of any duties connected with their office.

That section 1, of article 15 shall be amended so as to read as follows:

Sec. 1. Corporations may be formed under general laws, but shall not be created by special act, except for municipal purposes. All laws passed pursuant to this section may be amended, altered or repealed. But the Legislature may, by a vote of two-thirds of the members elected to each House, create a single bank with branches.

Sec. 2. No general banking law shall have effect until the same shall, after its passage, be submitted to a vote of the electors of the State, at a general election, and be approved by a majority of the votes cast thereon at such election.

Sec. 4. For all banks organized under general laws, the Legislature shall provide for the registry of all bills or notes issued or put in circulation as money, and shall require security to the full amount of notes and bills so registered, in State or United States stocks bearing interest, which shall be deposited with the State Treasurer for the redemption of such bills or notes in specie.

That section two, article fifteen of said constitution be so amended as to read as follows :

That section two, of article twenty, of said constitution be so amended as to read as follows:

Sec. 2. At the general election to be held in the year one thousand eight hundred and sixty-six, and in each sixteenth year thereafter, and also at such other times as the Legislature may by law provide, the question of the general revision of the constitution shall be submitted to the electors qualified to vote



for members of the Legislature, and in case a majority of the electors so qualified, voting at such election, shall decide in favor of a convention for such purpose, the Legislature, at the next session, shall provide by law for the election of such delegates to such convention. All the amendments shall take effect at the commencement of the year after their adoption.

The above amendments to the constitution shall be submitted to the people at the next general election, as provided in section one, of article twenty of the constitution, which said election will be held on the first Monday of April next, for a judge of the supreme court; and the Secretary of State is hereby required to give notice of the same, as soon as may be, by transmitting to the sheriff of each organized county by mail or otherwise, a notice in writing or a printed circular, containing a brief statement of the several amendments hereby proposed, showing the nature of the several amendments; which sheriffs severally are hereby required, as soon as may be, after the receipt of such notice; to cause a notice in writing or printed to be delivered to the township clerk of each township, and to one of the inspectors of elections in each ward in any city; which notice shall contain in substance the notice so received by such sheriff; and the inspectors of election in the several townships and cities of the State, shall prepare a suitable ballot box for the reception of ballots cast for and against said amendments. Each person voting for such amendments shall have written or printed on his ballot the words:

Amendment as to Supreme Court.

Amendment as to Salaries.

Amendments as to Banks.

Amendment as to taking effect of amendments, Yes.

And those voting against said amendments—

Amendment as to Supreme Court.

Amendment as to Salaries.

Amendment as to Banks.

Amendment as to taking effect of amendments, No.

Any voter may vote either for or against all or either of said

amendments, as he shall have the whole or a part of said amendments designated on his ballot, the ballot shall in all respects be received and canvassed, and the result thereof declared as the votes for a judge of the supreme court are required to be canvassed and declared.

SPECIAL ORDER.

On motion of Mr. Stout,

The Senate went into committee of the whole on the special order,

Mr. Briggs in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report :

The committee of the whole have had under consideration the following entitled bill :

A bill making an appropriation for the support of the Michigan asylum for the deaf, dumb and blind, at Flint.

Have made some progress therein, and ask leave to sit again.

H. C. BRIGGS, *Chairman*.

The report was accepted, and the committee granted leave to sit again.

The Senate took a recess till 2 o'clock P. M.

AFTERNOON SESSION.

The Senate was called to order by the President at two o'clock.

Roll called : quorum present.

Mr. Backus asked and obtained leave to make the following report, from the committee on the judiciary.

The committee on the judiciary, to whom was referred Senate bill No. 117, being

A bill to amend chapter 32 of the compiled laws, entitled of limited partnerships ;

Have had the same under consideration, and would respectfully report the same back to the Senate with several amend-

ments: 1st. By inserting in the third line of section 31, after the word "other," the word "general." 2nd. By inserting in the sixth line of the same section, after the word "withdrawn," the words, "or in any way diminished." 3d. By striking out the word "except," at the end of the first line in the twenty-third section, and adding to the end of said section the words, "and shall in no way be changed as to third persons, not members of such partnerships by the provisions of this act," and so amended, they recommend the bills do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman*.

The report was accepted, the committee discharged, amendments concurred in, and the bill placed on the order of third reading.

Mr. Briggs asked and obtained leave to make the following report from the committee on enrollment and engrossment:

The committee on enrolled bills, to whom was referred

A bill to amend the charter of the village of Hillsdale,

Respectfully report that they have examined the same, and herewith return it to the Senate correctly enrolled.

H. C. BRIGGS, *Chairman*.

The report was accepted, committee discharged, and bill was signed and presented to the Governor.

Mr. Stout moved that the committee of the whole be discharged from the further consideration of the several appropriation bills which were under consideration this morning;

Which motion prevailed

The Senate resumed the consideration of Senate bill, No. 87, entitled

A bill making an appropriation for the support of the Michigan Asylum for the deaf, dumb and blind, at Flint.

Mr. Stout moved to strike out section two,

Which motion did not prevail.

Mr. Galloway moved to strike out the word "ten," in the first and second lines of section one, and insert "seven" in lieu thereof;

Which motion prevailed.

Mr. French moved a reconsideration of the last vote taken.

Mr. Williams called for the yeas and nays.

The question being on reconsideration, the motion prevailed by yeas and nays, as follows:

#### YEAS.

Mr. Adair,	Mr. Gale,	Mr. Tower,
Backus,	Green,	Webb,
Brown,	Mulholland,	Wilder,
Butterfield,	Near,	Williams,
Coulter,	Strickland,	Withey,
French,		

16

#### NAYS.

Mr. Bailey,	Mr. DeLand,	Mr. Lane,
Baker,	Galloway,	McDermid,
Baldwin,	Hazen,	Monroe,
Briggs,	Jones,	Owen,
Carpenter,	Lacy,	Stout,

15

Mr. Gale moved to amend by inserting "eight" instead of "seven."

Mr. Galloway called for the previous question;

Which call was sustained.

The motion to amend prevailed, by yeas and nays, as follows:

#### YEAS.

Mr. Adair,	Mr. Gale,	Mr. Near,
Backus,	Green,	Owen,
Bailey,	Hazen,	Stout,
Baldwin,	Jones,	Strickland,
Briggs,	Lacy,	Tower,
Brown,	Lane,	Webb,
Butterfield,	McDermid,	Wilder,
Coulter,	Monroe,	Williams,
DeLand,	Mulholland,	Withey,
French,		

28

#### NAYS.

Mr. Baker,	Mr. Carpenter,	Mr. Galloway,	3
------------	----------------	---------------	---

Mr. Stout moved that the bill be placed on the order of third reading.

The motion was withdrawn.

Mr. Monroe moved to reconsider the vote by which the Senate refused to strike out section two.

Which motion prevailed.

Mr. Monroe moved to strike out the word "fifteen," in section two.

Mr. Galloway moved to amend by inserting, in place of the words "fifteen thousand," the words "seven thousand five hundred."

A division of the question being called for,

The word "fifteen" was stricken out by the following vote:

#### YEAS.

Mr. Backus,	Mr. DeLand,	Mr. McDermid,
Bailey,	Galloway,	Monroe,
Baker,	Hazen,	Owen,
Baldwin,	Jones,	Stout,
Briggs,	Lacy,	Strickland,
Carpenter,	Lane,	Withey,
		18

#### NAYS.

Mr. Adair,	Mr. French,	Mr. Near,
Brown,	Gale,	Tower,
Butterfield,	Green,	Wilder,
Coulter,	Mulholland,	Williams,
		12

Mr. French moved to insert "ten;"

Which motion did not prevail, the following vote being the vote thereon:

#### YEAS.

Mr. Adair,	Mr. French,	Mr. Tower,
Brown,	Gale,	Webb,
Butterfield,	Green,	Wilder,
Coulter,	Mulholland,	Williams,
DeLand,	Near,	
		14

#### NAYS.

Mr. Backus,	Mr. Galloway,	Mr. Monroe,
Bailey,	Hazen,	Owen,
Baker,	Jones,	Stout,
Baldwin,	Lacy,	Strickland,
Briggs,	Lane,	Withey,
Carpenter,	McDermid,	
		17

The question recurring on the motion to insert "seven thousand five hundred."

The motion prevailed, by the following vote:

YEAS.

Mr. Adair, Bailey, Baldwin, Brown, Butterfield, DeLand,	Mr. French, Gale, Galloway, Green, Lacy, Mulholland,	Mr. Near, Strickland, Tower, Webb, Wilder, Withey,	18
--	---	---	----

NAYS.

Mr. Backus, Baker, Briggs, Carpenter, Coulter,	Mr. Hazen, Jones, Lane, McDermid,	Mr. Monroe, Owen, Stout, Williams,	18
--	--	---	----

The question then recurring on the motion to strike out section 2, the same did not prevail, the following being the vote thereon :

YEAS

Mr. Bailey, Carpenter,	Mr. Galloway, Jones,	Mr. Lacy, Monroe,	6
---------------------------	-------------------------	----------------------	---

NAYS.

Mr. Adair, Backus, Baker, Baldwin, Briggs, Brown, Butterfield, Coulter, DeLand,	Mr. French, Gale, Green, Hazen, Lane, McDermid, Mulholland, Near,	Mr. Owen, Stout, Strickland, Tower, Webb, Wilder, Williams, Withey,	25
---	--	--	----

The bill was then ordered to a third reading.

Senate bill, entitled

A bill making an appropriation for the Michigan Asylum for the Insane,

Was taken up.

Mr. Brown moved to amend by striking out "sixty-two" wherever it occurs in the bill, and insert "sixty-three;" also, by striking out "sixty-one" and inserting "sixty-two."

Which motion prevailed.

Mr. Strickland moved to strike out "forty-five" and insert "twenty-five."

Mr. Stout called for a division of the question.

The motion to strike out "forty-five" prevailed.

Mr. Brown moved to insert "forty;"

Which motion did not prevail, the following being the vote thereon:

## YEAS

Mr. Adair,	Mr. French,	Mr. Tower,	
Backus,	Gale,	Webb,	
Brown,	Green,	Wilder,	
Carpenter,	Lane,	Williams,	
Coulter,	Near,		14

## NAYS

Mr. Bailey,	Mr. Hazen,	Mr. Mulholland,	
Baldwin,	Jones,	Owen,	
Briggs,	Lacy,	Stout,	
Butterfield,	McDermail,	Strickland,	
DeLand,	Monroe,	Withey,	
Galloway,			16

Mr. Owen moved to insert "twenty-five."

Which motion prevailed.

Mr. Owen moved to amend section two, by adding thereto the words "which several sums hereby appropriated shall be incorporated in the State tax for the respective years herein named;"

Which motion prevailed.

Mr. Galloway moved to reconsider the vote by which "twenty-five" was inserted.

Mr. Strickland moved to lay the motion on the table;

Which motion did not prevail.

Mr. Owen called the previous question;

Which call was sustained.

The vote by which "twenty-five" was inserted, was reconsidered.

The motion to insert "twenty five" did not prevail.

Mr. Stout moved to insert "seven;"

Which motion prevailed

Mr. DeLand moved to strike out of section 1, the words, "out of the general fund, and the same shall be passed on the books

of the State Treasurer to the Asylum fund for the insane, for the respective years mentioned;”

Which motion prevailed.

On motion of Mr. Carpenter,

The bill was ordered to a third reading.

The Senate then adjourned.

---

*Lansing, Friday, March 1, 1861.*

The Senate was called to order at 9 o'clock.

Prayer by Rev. Mr. Meyer.

Roll called : a quorum present.

Leave of absence was granted to Senators Webb and Strickland.

#### PETITIONS PRESENTED.

Mr. French presented the memorial of Paul R. Baldy, J. A. Ostrom and 129 others, citizens of Michigan, asking an amendment of the prohibitory liquor law, so as to include beer and malt liquors, ale and porter, in the category of domestic wines and cider, and prohibit its sale in quantities less than five gallons, and providing that when intoxication results from drinking beer, ale, or porter, the seller and drinker shall be amenable to all the penalties of the law against intoxication produced by the use of ardent spirits;

Referred to the committee on State affairs.

Mr. Baldwin presented the memorial of the directors of the Jackson and Michigan plank road company, with affidavits of sundry persons concerning the same;

Referred to the committee on roads and bridges.

#### REPORTS OF STANDING COMMITTEES.

By the committee on State affairs :

The committee on State affairs, to whom was referred House bill No. 89, being

A bill to provide for the registration of births, marriages and deaths,



Have had the same under consideration, and instructed their chairman to report the same back to the Senate, and recommend the same do pass, and ask to be discharged from its further consideration.

B. G. STOUT, *Chairman.*

The report was accepted, the committee discharged, and the bill referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary :

The committee on the judiciary, to whom was referred

A bill to authorize the trustees of the second society of the Methodist Episcopal Church of Detroit to mortgage real estate,

Have had the same under consideration, and would respectfully report the same back to the Senate, and recommend that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee :

The committee on the judiciary, to whom was referred

A bill authorizing the trustees of the Methodist Episcopal Church of Muskegon, to mortgage their church edifice and lands,

Have had the same under consideration, and would respectfully report the same back to the Senate, with the recommendation that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee:

The committee on the judiciary, to whom was referred

A bill to amend chapter one hundred and seventeen of the compiled laws,

Have had the same under consideration, and would respect-

fully report the same back to the Senate, with the recommendation, that it do pass, and ask to be discharged from further consideration of the same.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill laid on the table, and ordered printed.

By the committee on internal improvement:

The committee on internal improvement to whom was referred House bill No. 93, being

A bill to provide for the formation of companies to construct canal or harbors and improve the same,

Have had the same under consideration, and have instructed me to report the said bill back to the Senate with an amendment, to the proviso in section 8; also an amendment to section 10, which said amendments are herewith submitted, and so amended your committee recommend that the said bill do pass, and ask to be discharged from the further consideration of the subject.

J. CARPENTER, *Chairman.*

The report was accepted, the committee discharged, the amendments concurred in, and the bill referred to the committee of the whole and placed on the general order.

By the committee on incorporations:

The committee on incorporations, to whom was referred

A bill to amend an act to provide for the incorporation of railroad companies, approved February 12, 1855;

Have had the same under consideration, and respectfully report the same back to the Senate without amendment, and recommend that the same do pass, and ask to be discharged.

J. R. WILLIAMS, *Chairman.*

The report was accepted, the committee discharged, and the bill referred to the committee of the whole and placed on the general order.

By the committee on finance:

The committee on finance, to whom was referred

A bill to amend an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 14, 1853, and an act amendatory thereto, approved February 12, 1855, and an act amendatory thereto, approved February 4, 1858,

Respectfully report that they have had the same under consideration, and recommend that it be amended as follows: Section 99, by striking out the word "ten," and insert "seven," so that interest on taxes refunded, shall be seven per cent. In section 101, insert the words "guardian" and "or;" also, strike out "two," and insert "five," and when thus amended we recommend that it do pass, and ask to be discharged from the further consideration thereof.

CHARLES V. DeLAND, *for the committee.*

The report was accepted, the committee discharged, the amendments concurred in, and the bill laid on the table and ordered printed.

By the committee on finance:

The committee on finance, to whom was referred

A bill to amend sections 78 and 120, of chapter 17 of the compiled laws, relative to State tax lands,

Have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it do not pass, and ask to be discharged from the further consideration of the same.

H. P. BALDWIN, *Chairman.*

The report was accepted, the committee discharged, and the bill laid on the table.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill making a grant of swamp lands to aid in the early completion of the several land grant railroads in the Upper Peninsula,

Have had the same under consideration, and respectfully reports the same back to the Senate with the recommendation,

that it do not pass, and ask to be discharged from the further consideration of the same.

EZRA HAZEN, *Chairman*.

The report was accepted, the committee discharged, and the bill laid on the table and ordered printed.

By the committee on enrollment :

The committee on enrolled bills, to whom was referred

A bill to change the name of John Gregg to Charles Welcome Hill ;

Also,

A bill to amend section 3483, chapter 115, compiled laws, regulating the recording and authentication of notice of lis pendens ;

Also,

A bill to authorize the Detroit & Milwaukee Railroad Company to issue stock in place of the original stock of the Detroit & Milwaukee Railway Company ;

Also,

A bill to authorize the transfer by the board of control, of a grant of land made to the State of Michigan by an act of Congress, passed June 3, 1856, to aid in the construction of a railroad from Marquette, on Lake Superior, to the Wisconsin State line, and the re-location of the same,

Also,

A bill to amend section 2, of an act entitled an act to revise the charter of the city of Grand Rapids, approved February 14, 1857 ;

Would respectfully report that they have examined the same and return them to the Senate correctly enrolled.

H. C. BRIGGS, *Chairman*.

The bills were signed and presented to the Governor.

By the committee on towns and counties :

The committee on division of towns and counties, to whom was referred House bill, being

A bill to organize the township of Bath, in the county of Muskegon,

Report the same back with a recommendation that it do pass, and ask to be discharged from its further consideration.

CHARLES V. DeLAND, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

#### REPORTS OF SELECT COMMITTEES.

The committee of conference, to whom was referred the matter of difference between the two Houses, respecting the House amendments to Senate bill No. 33, being

A bill compelling mining companies in the Upper Peninsula of Michigan, to file with the county treasurer of the county in which they are doing business, a list of their stockholders, and the amount of the indebtedness of the companies,

Have instructed me to report the same back to the Senate, with the recommendation that the Senate recede from their disagreement with the amendments made by the House, and ask concurrence in the same.

B. G. STOUT, *Chairman Senate Committee.*

The report was accepted and the committee discharged.

On motion of Mr. Stout,

The Senate receded from its disagreement with the action of the House.

The amendments of the House were concurred in, by the following vote :

#### YEAS.

Mr. Adair,	Mr. DeLand,	Mr. McDermid,
Backus,	French,	Monroe,
Bailey,	Gale,	Mulholland,
Baker,	Galloway,	Near,
Baldwin,	Green,	Owen,
Briggs,	Hazen,	Stout,
Brown,	Jones,	Tower,
Butterfield,	Lacy,	Williams,
Carpenter,	Lane,	Withey,
Gaultier,		

#### NAES.

The bill was ordered to be enrolled.

MESSAGES FROM THE OTHER HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, February 28, 1861. }

To the President of the Senate:

SIR:—I am instructed by the House to transmit the following entitled bill:

A bill to extend the time for the collection of taxes in the township of Lyons, in the county of Ionia, for the year 1860, and to authorize the collection of the same;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill read twice.

On motion of Mr. Tower,

The rule was suspended, and the bill was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,

Mr. Coulter,  
DeLand,  
French,  
Gale,  
Galloway,  
Hazen,  
Jones,  
Lacy,  
Lane,

Mr. Monree,  
Mulholland,  
Near,  
Owen,  
Tower,  
Wilder,  
Williams,  
Withey,

26

NAYS.

Mr. Green,

Mr. Stout,

2

The title was agreed to, and the bill ordered to take immediate effect, by a vote of two-thirds of all said Senators.

The President also announced the following:

1861.]

THE SENATE.

223  
691

HOUSE OF REPRESENTATIVES,  
*Lansing, March 1, 1861.*

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following bill entitled:

A bill to provide the means for the redemption of the bonds of the State maturing January 1, 1863,

Which the House has amended by adopting a substitute therefor, which said substitute accompanies the bill herewith returned,

In the passage of which, as amended, the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill and substitute referred to the committee of the whole and placed on the general order.

The President also announced the following :

HOUSE OF REPRESENTATIVES,  
*Lansing, March 1, 1861.*

*To the President of the Senate :*

SIR:—I am instructed by the House to transmit the following bill, entitled

A bill to amend an act entitled an act to revise the charter of the city of Port Huron, approved Feb. 15, 1859,

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, has been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table and the bill read twice, and referred to the committee on incorporations.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, March 1, 1861.* }

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following bills:

1. A bill to amend an act entitled an act in relation to the free schools of the city of Detroit, approved February 7, 1857;

2. A bill to provide for improving a certain State road from the village of Gaines, to the village of Flushing, in the county of Genesee;

3. A bill to change the boundaries of the county of Houghton, and establish the county seat thereof;

4. A bill to establish and organize the county of Keweenaw;

5. A bill to organize the township of Hancock, in the county of Houghton;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the several bills read twice, and referred as follows:

1st. To the committee on public instruction;

2d. To the committee on roads and bridges;

3d, 4th and 5th. To the committee on towns and counties.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, March 1, 1861.* }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following bills:

1. A bill to discontinue a portion of the Allegan and Lansing State road;

2. A bill relating to deposit accounts and to interest, en-



change and commissions received or paid by the State Treasurer;

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bills ordered enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, March 1, 1861. }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following bill :

A bill relative to the arrest and surrender of fugitives from justice.

In the passage of which the House has not concurred, a majority of all the members elect not voting therefor.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message and bill were laid on the table.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, March 1, 1861. }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following concurrent resolution:

*Resolved*, (the House concurring,) That from and after 12 o'clock, noon, on Thursday, the 14th day of March next, the two Houses will transact no business other than for the President of the Senate and the Speaker of the House to sign enrolled bills for the approval of the Governor, and the entry of the same on the journals of the proper Houses by the Secretary and Clerk, and that the day of final adjournment of this Legislature shall

be Saturday, the 16th day of March next, at 12 o'clock, noon, of that day;

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table.

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. French moved that Senate joint resolution, entitled Joint resolution authorizing the Commissioner of the State Land Office to adjust with the General Government, the conflicting claims existing between the General and State governments, in relation to the several land grants made to this State, and secure patents for all unsettled balances due the State,

Be taken from the table and placed on order of third reading;  
Which motion prevailed.

Mr. Backus moved to take from the table

A bill to amend the charter of the city of Detroit;

Which motion prevailed.

On motion of Mr. Backus,

The Senate concurred in the House amendments thereto, by the following vote:

#### YEAS.

Mr. Backus,  
Bailey,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,

Mr. Coulter,  
DeLand,  
French,  
Gale,  
Green,  
Hazen,  
Jones,  
Lacy,

Mr. McDermid,  
Monroe,  
Mulholland,  
Near,  
Owen,  
Stout,  
Wilder,  
Withey,

24

#### NAYS.

0

The bill was ordered to be enrolled.

Mr. Monroe moved to discharge the committee of the whole from the further consideration of the bill to incorporate Tyn Lodge No. 18 of free and accepted masons, and that the bill be

taken from the general order and placed upon its third reading;

Which motion prevailed.

Mr. Baker moved that the committee of the whole be discharged from the further consideration of Senate bill No. 86;

Which motion prevailed and the bill was ordered to a third reading.

Mr. Brown moved to reconsider the vote by which the bill making an appropriation for furnishing the Michigan asylum for the insane was ordered to a third reading;

Which motion prevailed and the bill was referred to the committee on finance.

On motion of Mr. Tower,

The committee of the whole was discharged from the further consideration of Senate bill No. 120, being

A bill to authorize the people of Gratiot, and other new counties, to work out the amount of their indebtedness to this State, on the highways in said counties.

Mr. Tower moved to amend by adding the following, to stand as section 3:

Sec. 3. It shall be the duty of said highway commissioners receiving such list, when they meet to make out the highway tax roll for the several road districts in their respective towns, to enter on said roll the name and amount due from each person living in his road district: *Provided*, That such pathmaster so notified of any such indebtedness existing against himself is hereby required to work out the same under the direction of the highway commissioners, and get a certificate from them that said work has been fully performed in order to be discharged from the liability of the same as provided in section 4 of this act.

Which motion did not prevail.

The bill was ordered to a third reading.

On motion of Mr. Backus,

The committee of the whole was discharged from the further consideration of Senate bill No. 91, and the same was ordered to third reading.

Mr. Coulter moved that the committee of the whole be dis-

charged from further consideration of Senate bill No. 107, and the same be laid upon the table;

Which motion prevailed.

Mr. DeLand moved that the committee of the whole be discharged from the further consideration of Senate bill No. 115;

Which motion prevailed.

Mr. DeLand moved that the bill be ordered to a third reading;

Which motion did not prevail.

The bill was laid on the table.

On motion of Mr. Withey,

The following resolution was taken from the table:

*Resolved* (by the Senate, the House concurring,) That the Secretary of State is hereby authorized to furnish to the clerk of the county of Ionia such a number of copies of the compiled laws as will make up the deficiency to those entitled to them, not to exceed ten copies.

Mr. Withey moved to amend by adding the following:

"Also, to the clerk of Kent county, such number of the laws and documents of this State as may be necessary to replace those destroyed by fire in said Kent county, January 23, 1860;"

Which motion prevailed.

Mr. French moved to strike out all that relates to Ionia county;

Which motion prevailed.

The resolution, as thus amended, was adopted.

The President, by unanimous consent, announced the following

MESSAGES FROM THE OTHER HOUSE:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 1, 1861. }

To the President of the Senate:

SIR:—I am instructed to return to the Senate the following bill, entitled

A bill to incorporate the city of Pontiac;

And to inform the Senate that the House has concurred in the

action of the Senate upon the amendments previously made thereto by the House.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill ordered to be enrolled.

Also the following :

HOUSE OF REPRESENTATIVES,  
*Lansing, March 1, 1861.*

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following joint resolution, entitled

Joint resolution authorizing the State Treasurer to charge certain items to account suspense;

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the joint resolution ordered to be enrolled.

Also the following :

HOUSE OF REPRESENTATIVES,  
*Lansing, March 1, 1861.*

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following bill:

A bill in relation to the collection of recognizances in criminal cases,

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and bill read twice, and referred to the committee on the judiciary.

On motion of Mr. Carpenter,  
Senate bill No. 80, being

A bill to amend section 1661 of chapter fifty-two of the compiled laws, in relation to the manufacture and sale of spirituous or intoxicating liquors as a beverage,

Was taken from the table.

Mr. Carpenter moved to amend by adding thereto the following:

Sec. 2. That section 19 be amended so as to read as follows:

Sec. 19. This act shall not be construed as prohibiting the manufacture of the alcohol of commerce, containing not less than eighty parts in the hundred of pure alcohol: *Provided*, That the manufacturer shall not be at liberty to sell the same within this State, excepting only to the persons who may have given bonds pursuant to section 14 of this act, and any other sale of such alcohol shall be deemed to be within the prohibitions, penalties and forfeitures of this act. Nothing contained in this act shall be construed to prohibit the making of cider from apples, or wine from grapes or other fruits grown or gathered by the manufacturer thereof, or of beer made in this State and free from all other intoxicating liquors; but in no case shall such beer be sold in less quantity than ten gallons, or such wine or cider be sold in less quantity than one gallon, and sold to be and be all taken away at one time, and all sales of such beer in less quantity than ten gallons, or of such wine or cider in less quantity than one gallon, or to be drank or used on the premises, shall be an unlawful sale in the meaning of this act, and be punished accordingly.

Mr. French moved to strike out "ten," and insert "five ;"

Which motion did not prevail.

Mr. Owen moved to strike out "gallons," and insert "cents,"

Which motion did not prevail, the following being the vote thereon :

## YEAS.

Mr. Adair,	Mr. Coulter,	Mr. Owen,	3
------------	--------------	-----------	---

## NAYS.

Mr. Backus,	Mr. French,	Mr. McDermid,	
Bailey,	Gale,	Monroe,	
Baker,	Galloway,	Mulholland,	
Briggs,	Green,	Near,	
Brown,	Hazen,	Tower,	
Butterfield,	Jones,	Wilder,	
Carpenter,	Lacy,	Williams,	
DeLand,	Lane,	Withey,	24

Mr. Carpenter moved to reconsider the vote by which the motion to amend, by striking out "ten," and inserting "five," was lost ;

Which motion prevailed.

Mr. Withey moved to amend by striking out "ten," and inserting "one;"

Mr. Carpenter called for the previous question ;

Which call was sustained.

The motion to strike out "ten" and insert "one," prevailed by the following vote :

## YEAS.

Mr. Adair,	Mr. Gale,	Mr. Mulholland,	
Backus,	Galloway,	Owen,	
Bailey,	Hazen,	Stout,	
Butterfield,	Lane,	Strickland,	
Coulter,	McDermid,	Withey,	15

## NAYS.

Mr. Baker,	Mr. French,	Mr. Near,	
Briggs,	Green,	Tower,	
Brown,	Jones,	Wilder,	
Carpenter,	Lacy,	Williams,	
DeLand,	Monroe,		14

The question recurring on the amendment of the section, as amended, the same was adopted by the following vote :

## YEAS.

Mr. Adair,	Mr. French,	Mr. Monroe,	
Backus,	Gale,	Mulholland,	
Bailey,	Galloway,	Near,	
Briggs,	Hazen,	Stout,	
Brown,	Jones,	Strickland,	

Butterfield,  
Coulter,

Lacy,  
McDermid,

Withey,

20

# NAYS.

Mr. Baker,  
Carpenter,  
DeLand,

Mr. Green,  
Lane,  
Tower,

Mr. Wilder,  
Williams,

8

Mr. Carpenter moved that the vote by which "one" was inserted in the place of "ten," be reconsidered;

Which motion prevailed.

The motion to insert "five" prevailed.

The bill was then ordered to a third reading.

The Senate took a recess until 2 o'clock P. M.

## AFTERNOON SESSION.

The Senate was called to order at 2 o'clock.

Roll called : a quorum present.

On motion of Mr. Withey,

Senate bill No. 62, being

A bill to quiet title in the county of Kent,

Was taken from the table.

Mr. Withey moved to amend the bill as follows :

In the first line of the second section, after the words " deeds," insert, "and in the office of the clerk."

At the end of section two, add the following :

"The said affidavits being so filed in the clerks office, shall be considered and have the same effect of a declaration, and is hereby declared to be the commencement of a suit by the claimant, against all persons having or claiming any interest in the land therein described ; and the claimant shall cause to be entered the common rule, to appear and plead as in the commencement of suit by declaration ; and all subsequent proceedings to and including judgment of confirmation, shall be entitled and proceeded in as the suit may be entitled in said rule ;"

In the first line of section 3, insert, after the word "register," the word "clerk ;"



In the second line of same section, strike out the word "twelve," and insert "six;"

In the eighth line of section 4, after the word "register," insert "clerk."

Which motion prevailed.

Mr. Backus moved to amend by adding a new section, to stand as section 23, as follows:

"Sec. 23. That any person having possession and claiming a freehold title or an estate in mortgage to any real estate, the title papers to which shall have been lost or destroyed without his default, and there shall be no record of the same, may proceed under the provisions of this act to quiet title to the same, and shall proceed before the circuit court commissioner of the proper county, in all things, as near as may be, in the same manner as is required by quieting title to land in the county of Kent, and the provisions of said act shall have effect and be operative throughout the State;"

Which motion prevailed.

The bill was then ordered to a third reading.

On motion of Mr. Carpenter,

The committee of the whole was discharged from the further consideration of Senate joint resolution No. 8, being

Joint resolution to authorize the Board of State Auditors to audit and allow the claim of William Beard, in the matter of the improvement of navigation over the sand flats of the Muskegon river, and to authorize the Auditor General to draw his warrant on the State Treasurer for such amount as may be allowed.

Mr. French offered the following as a substitute for the resolution:

*Resolved by the Senate and House of Representatives of the State of Michigan, That the claim of William Beard is hereby referred to the Board of State Auditors to examine, and in their discretion, audit and allow at such an amount, not exceeding \$50,000, as they shall find justly and equitable due and owing to him for work done and money expended in the improvement*

of navigation over the sand flats of Muskegon river, and upon the filing by the said Wm. Beard, with said Board of Auditors, of a receipt in full of and for all claims and demands against the State of Michigan on account of said work, the Commissioner of the State Land Office shall issue to said Beard a patent or patents for such an amount of State swamp lands as shall be sufficient, at the minimum price of said lands, to satisfy the amount so allowed, said lands to be selected from any swamp lands subject to entry at the time of filing of such selections. The land hereby appropriated, to be selected within six months from the date of the approval of this resolution.

Mr. Strickland moved to amend by adding thereto the following:

"Provided that said lands shall be selected in the counties of Muskegon, Newaygo, Mecosta and Osceola;"

Which motion prevailed.

Mr. Withey moved further to amend by striking out "and," and adding after "Osceola," "Clare, Missaukee and Roscommon;"

Which motion prevailed.

The substitute, as amended, was adopted.

Mr. Stout offered the following as a substitute for the last sub-division of the preamble:

"*And whereas*, The internal improvement lands out of which it was contemplated the aforesaid appropriation should be paid, had been entirely exhausted at the time of such appropriation."

Which motion prevailed.

Mr. Stout moved to amend by striking out of the fourth sub-division of the preamble the words, "out of said appropriation;"

Which motion prevailed.

Mr. French moved to strike out the entire fourth subdivision; Which motion did not prevail.

Mr. French moved to strike out of the third subdivision the words, "in good faith," where they first occur;

Which motion prevailed.

On motion of Mr. Carpenter,

The joint resolution was ordered to a third reading.

On motion of Mr. DeLand,

Senate bill No. 79, being

A bill to make appropriation for building west L to the State prison, and for removing east wall and building work shops, as recommended by the board of inspectors in their annual report for the year 1860,

Was taken from the table.

Mr. DeLand moved to amend, by inserting in the second line, after the word "purposes," the words "of removing east wall, building work-shops, and constructing an L to main building of the State prison;"

Which motion prevailed.

Mr. DeLand moved to amend by inserting, in the fourteenth line, after the word "wall," the words "and the shops;"

Which motion prevailed.

Mr. Stout offered the following as a substitute for section 2;

"Sec. 2. The enlargement hereby authorized shall be under the superintendence of the inspectors and agents of the prison, who shall receive no additional compensation therefor. The office of State building commissioner is hereby abolished;"

Which substitute was adopted.

Mr. Baldwin moved to strike out the ninth line of section one;

Which motion prevailed.

Mr. Baldwin moved to strike out the eighth line;

Which motion did not prevail.

Mr. French moved to strike out "twenty thousand" wherever occurring in the bill, and insert "fifteen thousand;"

Which motion prevailed.

Mr. French moved to strike out the proviso in the thirteenth and fourteenth lines;

Which motion prevailed.

Mr. Baldwin moved to strike out of the tenth line the words, "to be levied and collected in," and insert in lieu thereof, "incorporated in the State tax for;" also, to strike out of the eleventh

line the words, "levied and collected," and insert "incorporated in the State tax for;"

Which motion prevailed.

The bill was then ordered to a third reading.

### THIRD READING.

Senate joint resolution No. 11, being

Joint resolution authorizing a settlement with Warren Thompson, Sidney Green, John Stuart, Richard Peters, Charles Dean, T. G. Barker,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

### YEAS.

Mr. Adair,	Mr. Coulter,	Mr. Mulholland,
Backus,	Gale,	Near,
Bailey,	Green,	Stout,
Baker,	Jones,	Strickland,
Baldwin,	Lacy,	Tower,
Briggs,	Lane,	Wilder,
Brown,	McDermid,	Withey,
Butterfield,	Monroe,	President, <i>p. tem.</i>
Carpenter,		26

### NAYS.

Mr. DeLand,	Mr. Galloway,	Mr. Owen,
French,		4

The title was agreed to, and the joint resolution ordered to take immediate effect by a vote of two-thirds of all said Senators.

Mr. Owen moved that the Senate adjourn;

Which motion prevailed by the following vote:

### YEAS.

Mr. Adair,	Mr. Gale,	Mr. Owen,
Backus,	Galloway,	Strickland,
Baker,	Green,	Wilder,
Butterfield,	McDermid,	Williams,
Carpenter,	Monroe,	Withey,
		15

### NAYS.

Mr. Baldwin,	Mr. French,	Mr. Mulholland,
Briggs,	Jones,	Near,

Brown,  
Coulter,  
DeLand,

Lacy,  
Lane,

Stout,  
Tower,

18

The Senate then adjourned.

*Lansing, Saturday, March 2, 1861*

The Senate was called to order at 9 o'clock.

Long prayer by the Rev. Mr. Merrill.

Roll called : a quorum present.

**PETITIONS PRESENTED.**

By Mr. Carpenter: petition of Robert W. Craig, A. R. Tiffany and 52 others, citizens of Lenawee county, praying the Legislature to repeal the law for paying a bounty on the manufacture of salt;

By Mr. Near: petition of A. J. Pullen, A. P. Youngs and 46 others; also, of E. B. Thornton, L. A. Winchester and 80 others for a repeal of the salt bounty;

Which several petitions were referred to the committee on salt.

**REPORTS OF STANDING COMMITTEES.**

By the committee on the judiciary :

The committee on the judiciary, to whom was referred House bill No. 57, being

A bill in relation to the collection of recognizances in criminal cases,

Have had the same under consideration, and would respectfully report the same back to the Senate, with the recommendation that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee:

The committee on the judiciary, to whom was referred

A bill to authorize the Auditor General to cancel the sale of

lands for ditch or drain taxes in Jackson county, and to authorize the board of supervisors to reverse the assessment and to re-assess the same ;

Have had the said bill under consideration, and would respectfully report, that, by the provisions of said bill, it is among other things provided : That whenever, in the opinion of the Auditor General, the sale for taxes, referred to in said bill, are not made in accordance with law, or where there shall appear any defect in the assessment, or for such other cause as may seem to him just and proper, he shall cancel and annul the same to this entire provision, which, in fact, forms the main object of said bill. There are at least two fundamental objections :

1st. It purports to clothe the Auditor General with judicial power to determine the validity or invalidity of their assessments and sales, which is clearly a judicial power, and this power, by the Constitution, is exclusively vested in a supreme court, circuit courts, probate courts, and in justices of the peace, except municipal courts.

2nd. If by the sale in question, a title is made, this title cannot be diverted by any legislation, as being, also, contrary to the Constitution, violating the obligations of a contract, but if no title is made by the proceedings, the purchaser has a right to have it tested by the proper judicial tribunals of the country, and cannot in this summary way be disposed of. In the opinion of your committee, there is another objection equally fundamental to the policy of the bill, wherein it purports to provide for recharging the taxes, charges, and interest upon the assessed premises. Now, if the law has been complied with, and the assessment and sales are invalid, such course is not only unnecessary, but incompetent, the whole power of the law having been expended ; but if on the other hand, the law has not been complied with, and the assessment and sales are invalid, it would be a stretch of legislative power, not authorized, either by the Constitution or common justice, to charge premises with expenses and interest on assessment and sales unwarranted and unsustained by any law,

Your committee are, therefore, on the principles alone, compelled to report said bill to the Senate, and recommend it do not pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill laid on the table.

By the committee on internal improvement:

The committee on internal improvement to whom was referred House bill No. 126, being

A bill to authorize any township in Allegan county to levy a specific tax for the improvement of the Kalamazoo river and harbor,

Have had the same under examination, and have instructed me respectfully to report the said bill back to the Senate without amendment, recommend its passage, and ask to be discharged from the further consideration of the subject.

J. CARPENTER, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on printing:

The committee on printing, to whom was referred Senate bill, being

A bill to amend section 5659 of the compiled laws, relative to fees for publishing legal notices,

Respectfully report that the bill proposes to increase the fees of publication about thirty per cent above present rates. The committee believe that the cost of such publications are not large, being much lower than in most of the surrounding States. We do not deem it beneficial or prudent to alter or change the rates of such fees at present. We therefore return the bill and recommend that it do not pass, and ask to be discharged from the further consideration thereof.

ELIJAH LACY, *Chairman.*

The report was accepted, the committee discharged, and the bill laid on the table.

By the same committee :

The committee on printing, to whom was referred

A bill to provide for something which is necessary, but which has been forgotten,

Respectfully report the same back to the Senate with a substitute, and also an amendment to the title, to read as follows:

Being a bill to exempt printers' materials from levy and sale on execution ;

Recommend that the substitute be adopted, and ask to be discharged from the further consideration thereof.

CHARLES V. DeLAND, *for the Committee.*

The report was accepted, the committee discharged, and the bill laid on the table.

By the committee on towns and counties :

The committee on division of towns and counties, to whom was referred petition of Albert Miller and 95 others, asking that portions of townships of Blumfield and Zilwaukie, in Saginaw county, be detached therefrom and attached to the township of Portsmouth, in Bay county,

Report the same back and recommend that no action be taken thereon, and ask to be discharged from the further consideration thereof.

CHARLES V. DeLAND, *Chairman.*

The report was accepted, the committee discharged, and the petition laid on the table.

By the committee on towns and counties :

The committee on division of towns and counties, to whom was referred petition of W. H. H. VanAkin and 16 others, also, of J. M. Johnson and 34 others, of the village of Hudson, asking to be set back from the village into the township,

Report the same back without recommendation, and ask to be discharged from its further consideration.

CHARLES V. DeLAND, *Chairman.*

The report was accepted, the committee discharged, and the petitions laid on the table.

By the committee on mines and minerals :



The committee on mines and minerals, to whom was referred

A bill to organize the unterrified territory of the Upper Peninsula,

Have had the same under consideration, and would respectfully report, that after a careful examination of the subject, and from all the reliable information furnished to your committee by residents of that country, your committee are convinced that the so called unterrified portion of the Upper Peninsula is held and owned by over fifty mining companies, organized under the general mining law, none of which are actually engaged at or following the business of mining. A majority of them was formed and organized over five years ago. Some of these mining companies' estates embrace over 4000 acres of land. Upon many of them are large and extensive surface or farm improvements, where farming alone is the only business pursued. By the association of a few persons together under the general mining law, they can, to the extent of ten thousand acres of land, avoid paying any State tax, and as there is some 200,000 acres that become subject to taxation this year, and for the purpose of exterminating this kind of territory, your committee amend by offering a substitute, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

All of which is respectfully submitted.

JOS. COULTER, *Chairman.*

The report was accepted, the committee discharged, and the substitute adopted, and referred to the committee of the whole, and placed on the general order.

By the committee on incorporations :

The committee on incorporations, to whom was referred

A bill granting to the Grand River Valley Railroad Company the right of way across certain State lands, and extending the time for the construction of the same,

Have had the same under consideration, and respectfully report the same back to the Senate without amendment. They

recommend the passage of the same, and ask to be discharged from a farther consideration thereof.

JOS. R. WILLIAMS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee :

The committee on incorporations, to whom was referred

A bill to repeal the charter of the Allegan and Otsago plank road company,

Have had the same under consideration, and, having no facts before them to guide them to any conclusions, the committee respectfully report the same back to the Senate without amendment. They have no recommendation to make on the subject, and ask to be discharged from the further consideration thereof.

J. R. WILLIAMS, *Chairman.*

The report was accepted, the committee discharged, and the bill laid on the table.

By the same committee :

The committee on incorporations, to whom was referred

A bill relative to plank roads,

Have had the same under consideration, report it back to the Senate without amendment, recommend that the same do pass, and ask to be discharged from the further consideration thereof.

JOS. R. WILLIAMS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee :

The committee on incorporations, to whom was referred

A bill to repeal section 8, of an act entitled an act relative to plank road companies, approved February 12, 1855,

Have had the same under consideration, and report the same back to the Senate without amendment. They recommend that the bill do not pass, and ask to be discharged from the further consideration thereof.

JOS. R. WILLIAMS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

MESSAGES FROM THE OTHER HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES,

Lansing, March 1, 1861.

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following joint resolution, entitled:

Joint resolution appropriating the tolls of the St. Mary's Canal to the payment of the amount due counties for taxes assessed on canal lands;

Which the House has amended as follows:

Insert after the word "each," in line 14, the words "for principal and interest;" also, after the word "paid" in same line, insert the words "without deduction for any cause whatever."

In the passage of which, as amended, the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table.

The Senate concurred in the amendment, inserting after the word "each," in line 14, the words "for principal and interest," by the following vote:

YEAS.

Mr. Adair,	Mr. Gale,	Mr. Mulholland,	
Baldwin,	Green,	Near,	
Briggs,	Hazen,	Owen,	
Brown,	Jones,	Stout,	
Butterfield,	Lacy,	Strickland,	
Coulter,	Lane,	Tower,	
DeLand,	McDermid,	Williams,	
French,	Monroe,	Withey,	24

NAYS.

Mr. Baker,	Mr. Wilder,	2
------------	-------------	---

The second amendment was not concurred in, the following being the vote thereon:

## YEAS

Mr. Adair,

Mr. Lane,

2

## NAYS.

Mr. Backus,

Mr. Gale,

Mr. Mulholland,

Baker,

Galloway,

Near,

Baldwin,

Green,

Owen,

Briggs,

Hazen,

Stout,

Brown,

Jones,

Strickland,

Butterfield,

Lacy,

Tower,

Coulter,

McDermid,

Wilder,

DeLand,

Monroe,

Withey,

French,

25

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, March 2, 1861.* }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following bill, entitled

A bill to change the name of the unorganized county of Otsego to that of Seward;

In the passage of which the House has not concurred, a majority of all the members elect not voting therefor.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message and bill were laid on the table.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, March 1, 1861.* }

*To the President of the Senate :*

SIR:—I am instructed by the House to transmit the following bill, entitled

A bill to amend an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 14, 1853, and an act amendatory thereto, approved February 4, 1858 ;

Which has passed the House by a majority of all the mem-

bers elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill read twice and referred to the committee on the judiciary.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, March 2, 1861. }

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following bill, entitled

A bill to authorize the formation of gymnastic associations;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill read twice, and referred to the committee on incorporations.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Owen moved to take from the table Senate manuscript bill "to exempt sewing machines from levy and sale on execution," and place the same on the order of third reading;

Which motion prevailed.

Mr. DeLand moved that the committee of the whole be discharged from the further consideration of Senate bill No. 90, being

A bill relative to brokers and exchange dealers;

Which motion prevailed.

On motion of Mr. DeLand,

The bill was amended as follows:

Section 1, line 4, insert "following," after "sections;"

Section 1, line 6, strike out "partner," and insert "parties;"

Section 2, line 10, insert "and deposits" after "moneys;"

Section 3, line 3, insert "or deposits," after "stocks."

Section 3, line 8, after "securities," insert "or deposits to be used for leaning, exchange or banking purposes;"

Section 6, line 3, after "securities," insert "or deposits used as capital;"

Also, add the following new section, to stand as section 7:

Sec. 7. Every such person or company, shall publish annually, on or before the first day of January, of each year, in at least one public newspaper published in the county where such business is carried on, a statement of the amount of capital, securities and deposits used in such business, which statement shall also contain a statement of the deposits on the day on which such statement was made; and the same shall be verified in the same manner as the certificate provided in section 2 of this act.

On motion of Mr. DeLand,

The bill was laid on the table.

#### SPECIAL ORDER.

The Senate went into committee of the whole on the special order,

Mr. Monroe in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report:

The committee of the whole have had under consideration House bill No. 114, being

A bill to amend an act entitled an act to provide for the draining and reclamation of swamp lands by means of State roads and ditches, being act No. 117, of session laws of 1859,

And report the same back without amendment, recommending its passage.

D. MONROE, *Chairman.*

The report was accepted.

Mr. Stout moved to strike out of lines 12, 13 and 14, of sec-

tion 4, the words, "may file applications for unpatented swamp lands with the commissioner of the State land office, and when said lands shall have been patented to the State, it shall be the duty of the commissioner of the State land office, to issue patents for the same to said applicants, their heirs or assigns ;"

Which motion prevailed, by the following vote :

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. McDermid,
Bailey,	French,	Monroe,
Baldwin,	Galloway,	Owen,
Briggs,	Jones,	Stout,
Brown,	Lane,	Williams,
Carpenter,		

18

## NAYS.

Mr. Backus,	Mr. Green,	Mr. Strickland,
Baker,	Hazen,	Tower,
Butterfield,	Lacy,	Wilder,
Coulter,	Near,	Withoy,
Gale,		

18

Mr. Briggs moved to amend by inserting at the end of section 4, the following: "upon the acceptance, approval and cancellation of any portion of such contract less than the whole, certificates shall be issued only to meet the proportionate expense of constructing the same, not exceeding the contract price, as certified by the commissioner of said road;"

Which motion prevailed.

Mr. Owen moved to amend by striking out of the interlineation in the 4th line of section 7, the words "including his expenses;"

Which motion prevailed by the following vote:

## YEAS.

Mr. Backus,	Mr. Carpenter,	Mr. Monroe,
Bailey,	French,	Mulholland,
Baker,	Gale,	Near,
Baldwin,	Green,	Owen,
Briggs,	Jones,	Stout,
Brown,	Lane,	Williams,
Butterfield,	McDermid,	

20

## NAYS.

Mr. Adair,  
Coulter,  
DeLand,

Mr. Galloway,  
Hazen,  
Lacy,

Mr. Tower,  
Wilder,  
Withey,

9

The Senate took a recess until 2 o'clock P. M.

## AFTERNOON SESSION.

The Senate was called to order at 2 o'clock.

Roll called : a quorum present.

The Senate resumed the consideration of House bill No. 114, being

A bill to amend an act entitled an act to provide for the drainage and reclamation of swamp lands by means of State roads and ditches, being act No. 117, of the session laws of 1859.

Mr. DeLand moved to reconsider the vote by which the words between "this act," in the 12th line of section 4, and the words "and that," in the 15th line, were stricken out ;

Which motion did not prevail.

Mr. Owen moved to amend by inserting after the word "Lansing," the words "and in the two papers in Detroit having the largest circulation;"

Mr. DeLand moved to amend the motion by striking out "having the largest circulation;"

Which motion did not prevail.

The motion to insert prevailed.

Mr. DeLand moved to reconsider the vote by which the amendment prevailed;

Which motion prevailed.

Mr. Tower moved to amend the motion by striking out "two," and insert "one ;"

Which was withdrawn.

Mr. DeLand moved, as a substitute, to insert after "Lansing," the words "and in such other manner as the commissioner may deem proper;"



Which motion prevailed.

Mr. Owen moved to strike out section 18;

Which motion did not prevail.

Mr. French moved to strike out section eleven;

Which motion did not prevail.

Mr. Carpenter moved to strike out all after the enacting clause;

Which motion did not prevail, the following being the vote thereon:

#### YEAS.

Mr. Baker,  
Carpenter,  
French,

Mr. Galloway,  
Jones,  
McDermid,

Mr. Mulholland,  
Owen,  
Williams, 9

#### NAYS.

Mr. Adair,  
Backus,  
Bailey,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,

Mr. Coulter,  
DeLand,  
Gale,  
Green,  
Hazen,  
Lacy,  
Lane,

Mr. Near,  
Stout,  
Strickland,  
Tower,  
Wilder,  
Withey, 20

On motion of Mr. Strickland,

The bill was ordered to a third reading.

Mr. DeLand moved to take from the general order Senate bill No. 72, being

A bill to amend an act to provide for the organization of railroad companies;

Which motion did not prevail.

On motion of Mr. Stout,

The committee of the whole was discharged from the further consideration of Senate bill No. 4, being

A bill to divide the State into six congressional districts;

Which motion prevailed.

Mr. Carpenter offered the following as a substitute:

Sec. 1. *The People of the State of Michigan enact*, That this State shall be divided into six congressional districts, pursuant to a ratio of representation fixed by act of Congress, for the year 1860, for apportioning anew the Representatives among

the several States; and each district shall be entitled to elect one Representative; the districts to be constituted of the several counties and numbered as follows, to wit :

1. The first district shall consist of the counties of Wayne, Washtenaw and Jackson.

2. The second district shall consist of the counties of Monroe, Lenawee, Hillsdale, Branch and St. Joseph.

3. The third district shall consist of the counties of Cass, Berrien, Van Buren, Allegan, Kalamazoo and Calhoun.

4. The fourth district shall consist of the counties St. Clair, Macomb, Lapeer, Oakland and Genesee.

5. The fifth district shall consist of the counties of Eaton, Barry, Ionia, Kent, Ottawa, Montcalm, Mecosta and Osceola, Newaygo and Lake, Muskegon, Oceana, Mason, Manistee, Lee-lanaw and Manitou, Grand Traverse, Cheboygan, Emmet, Mack-inaw, Delta, Antrim and Wexford.

6. The sixth district shall consist of the counties of Ingham, Livingston, Clinton, Shiawassee, Sanilac, Huron, Tuscola, Gratiot, Saginaw, Bay, Midland and Gladwin, Iosco, Alcona, Alpena, Montmorenci, Ogemaw, Roscommon, Missaukee, Otsego, Kalkaska and Crawford, Presque Isle, Chippewa, Schoolcraft, Houghton, Ontonagon, Marquette, Isabella, and Clare, and all the unorganized counties not embraced in the fifth district.

Mr. Wilder moved to lay the substitute on the table;

Which motion did not prevail, the following being the vote thereon :

#### YEAS

Mr. French, Galloway,	Mr. Green, McDermid,	Mr. Near, Wilder,	6
--------------------------	-------------------------	----------------------	---

#### NAYS.

Mr. Adair, Backus, Bailey, Baker, Baldwin, Briggs, Brown,	Mr. Butterfield, Carpenter, Coulter, DeLand, Hazen, Jones, Lacy,	Mr. Lane, Monroe, Mulholland, Owen, Stout, Tower, Withey,	21
---	--	---	----

The substitute was not adopted.

Mr. Carpenter moved to reconsider the vote by which the substitute was rejected;

Which motion prevailed, by the following vote :

## YEAS.

Mr. Adair,	Mr. Butterfield,	Mr. Mulholland,	
Backus,	Carpenter,	Owen,	
Bailey,	Coulter,	Stout,	
Baker,	Hazen,	Tower,	
Baldwin,	Jones,	Withey,	
Brown,	Lacy,		17

## NAYS

Mr. Briggs,	Mr. Green,	Mr. Near,	
DeLand,	Lane,	Strickland,	
French,	McDermid,	Wilder,	
Gale,	Monroe,	Williams,	
Galloway,			13

Mr. Baldwin moved to postpone the further consideration of the bill, and make it the special order for Tuesday next, at eleven o'clock; also, that the substitute be ordered printed;

Which motion prevailed.

On motion of Mr. Stout,

The committee of the whole was discharged from the further consideration of House bill No. 140, the same having been substituted by the House for Senate bill No. 40, being

A bill to provide means for the redemption of the bonds of the State, maturing January 1st, 1863.

Mr. Gale move to strike out section 4;

Which motion prevailed by the following vote:

## YEAS.

Mr. Backus,	Mr. Galloway,	Mr. Owen,	
Bailey,	Green,	Tower,	
Baker,	Hazen,	Wilder,	
Brown,	Lane,	Williams,	
Butterfield,	McDermid,	Withey,	
Gale,	Monroe,		17

## NAYS.

Mr. Adair,	Mr. Coulter,	Mr. Lacy,	
Baldwin,	DeLand,	Near,	
Briggs,	French,	Stout,	
Carpenter,	Jones,		11

Mr. Stout moved to reconsider the last vote:

Which motion prevailed.

The question then recurring on the motion to strike out section 4, the same did not prevail, the following being the vote thereon :

#### YEAS.

Mr. Backus, Baker, Brown, Butterfield, Gale,	Mr. Green, Hazen, Lane, McDermid,	Mr. Monroe, Tower, Wilder, Williams,	13
--	--	---	----

#### NAYS.

Mr. Adair, Baldwin, Briggs, Carpenter, Coulter,	Mr. DeLand, French, Galloway, Jones, Lacy,	Mr. Mulholland, Near, Owen, Stout, Withey,	15
---	--	--	----

The question being on concurring in the substitute of the House, the same was not conrred in, a majority of all the Senators elect not voting therefor, as follows:

#### YEAS.

Mr. Adair, Baldwin, Briggs, Carpenter, Coulter, DeLand,	Mr. French, Galloway, Jones, Lacy, Lane,	Mr. Mulholland, Near, Owen, Stout, Withey,	16
--	--	--	----

#### NAYS.

Mr. Backus, Baker, Brown, Butterfield,	Mr. Gale, Green, Hazen, McDermid,	Mr. Monroe, Tower, Wilder, Williams,	12
---	--	---	----

Mr. DeLand moved to reconsider the last vote,

Which motion prevailed.

On motion of Mr. Withey,

The substitute was laid on the table.

## MESSAGES FROM THE OTHER HOUSE.

By unanimous consent, the President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 2, 1861. }

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following concurrent resolution :

*Resolved*, (The Senate concurring), That the Secretary of State be and is hereby authorized and directed to forward one copy of the session laws, and one copy of the Senate and House journals and joint documents of this session of the Legislature, to the county clerk of each organized county in this State, so soon as the same are printed, bound, and ready for delivery; to be retained in said offices as documents for public reference.

Which has passed the House by a majority vote of all the members elect, in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the resolution concurred in.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 2, 1861. }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following bill :

A bill to amend an act for the benefit of fractional school district No. 1, of Vassar, and No. 2, of Tuscola,

In the passage of which, the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, March 2, 1861. }

*To the President of the Senate :*

SIR :—I am instructed to return to the Senate the following bill:

A bill to provide for selecting and locating the unselected deficiency existing in the quantity of lands due to the State of Michigan under the act of Congress, approved May 20, 1826, and for any other land grant made by act of Congress to this State;

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, March 2, 1861. }

*To the President of the Senate :*

SIR :—I am instructed to return to the Senate the following bill, entitled :

A bill to amend sections 3520, 3521 and 3522, of chapter 115, of the compiled laws, concerning the abatement and revivor of suits in chancery,

Which the House has amended as follows :

1. Strike out sections 2 and 3 of the bill, and add to section 1 the following words: "upon notice to the surviving defendants and the representatives of the deceased defendant, and under such rules as the Supreme courts, or for want thereof, the circuit courts may from time to time provide."

2. Amend the title by striking out "3521 and 3522;"

In the passage of which, as amended, the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message and bill were laid on the table.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, March 2, 1861. }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following bill, entitled

A bill to amend section 1, of an act entitled an act to provide for the drainage and reclamation of swamp lands, by means of State roads and ditches, being act No. 117 of the session laws of 1859,

Which the House has amended as follows :

1. Strike out the second sub-division, and insert the following in lieu thereof: "2d. A road from the south line of township 8 north, of range 12 west, through Newaygo, in the county of Newaygo, to Northport, to be known as the Newaygo and Northport State road.

2. In the third sub division of section 1, strike out the words "St Johns, in Clinton county," and insert in place thereof, the words "Lansing, in Ingham county."

3. In the same sub-division, strike out the word "Clinton," near the end of the sub-division, and insert "Lansing."

4. In sub-division 10, insert in line 1, before the word "Allegan," the words "Paw Paw, in Van Buren county, by way of," and after the word "Allegan," strike out the words "by way of."

5. In the same sub-division, after the word "Muskegon," in line 2, insert the word "village ;"

In the passage of which, as amended, the House has concurred

red by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill committed to the committee on public lands.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 2, 1861. }

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following bills:

1. A bill to provide for the support and maintenance of the Houghton mining school, in the Upper Peninsula;
2. A bill to relieve observers of the seventh day of the week from the necessity of defending suits in violation of their consciences;
3. A bill to amend chapter 79, of the revised statutes of 1848 (compiled laws, chapter 108) by adding three new sections, numbered 54, 55 and 56, in relation to redemption against sales on executions;
4. A bill to amend section 188, of chapter 117, of the compiled laws, in relation to appeals from justices courts;

Which have passed the House by a majority vote of all the members elect, in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, the several bills read twice, by title, the first named referred to the committee on public instruction, and the last three to the committee on the judiciary.

The President also announced the following:



HOUSE OF REPRESENTATIVES, }  
*Lansing, March 2, 1861.* }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following:

A bill to amend sections 11 and 127, of chapter 117, of the compiled laws, relative to security of costs in justices courts;

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table and the bill ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, March 2, 1861.* }

*To the President of the Senate :*

SIR:—I am instructed by the House to transmit the following :

1. A bill to amend an act entitled an act to organize the Michigan Asylum for the Insane, and more effectually to provide for the care, maintenance and recovery of the insane;

2. A bill to amend chapter 150, of the revised statutes of 1846, being chaater 175, of the compiled laws;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, the bills read twice, by title, the first named referred to the committee on the asylum for the insane, and the last to the committee on the judiciary.

Mr. Withey moved to discharge the committee of the whole from the further consideration of Senate bill No. 104, in reference to the crime of polygamy, and place the same on the order of third reading ;

Which motion prevailed.

Mr. Mulholland moved to discharge the committee of the whole from the further consideration of Senate bill No. 108, and place it on the order of third reading, being

A bill concerning the canvassing of votes at elections;

Which motion prevailed.

Mr. Withey moved to discharge the committee of the whole from the further consideration of Senate bill No. 100, in reference to recording articles of association, and authorizing religious societies to mortgage their property;

Which motion prevailed, and the bill was ordered to a third reading.

Mr. French moved that Senate bill No. 97, being

A bill relative to laying out, altering and discontinuing highways,

And Senate bill No. 85, being

A bill to alter and amend chapter 22, of title 9, of the compiled laws, in relation to laying out, altering and discontinuing public roads and highways,

Be made the special order for Monday next at 11 o'clock;

Which motion prevailed.

#### THIRD READING.

House bill No. 82, being

A bill for the continuation of an emigrant agency, and appropriation made therefor,

Was read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows :

#### YEAS.

Mr. Backus,

Mr. DeLand,

2

#### NAYS.

Mr. Adair,

Mr. Gale,

Mr. Monroe,

Bailey,

Galloway,

Mulholland,

Baker,

Green,

Near,

Baldwin,

Hazen,

Owen,

Briggs,

Jones,

Stout,

Brown,

Laey,

Tower,

Butterfield,

Lane,

Wilder,

Carpenter,  
French,

McDermid,

Withey,

25

On motion of Mr. French,

The Senate took a recess till 7 o'clock, by the following vote:

YEAS.

Mr. Adair,  
Bailey,  
Baker,  
Baldwin,  
Coulter,  
DeLand,  
French,

Mr. Gale,  
Galloway,  
Hazen,  
Jones,  
Lacy,  
Lane,  
McDermid,

Mr. Mulholland,  
Near,  
Stout,  
Tower,  
Wilder,  
Withey,

20

NAYS.

Mr. Backus,  
Briggs,  
Brown,

Mr. Butterfield,  
Carpenter,  
Green,

Mr. Monroe,  
Williams,

8

EVENING SESSION.

The Senate was called to order at 7 o'clock.

Roll called : a quorum present.

The Senate resumed business in the order of

THIRD READING.

House bill No. 80, being

A bill to amend an act entitled an act to provide for the settlement and drainage of swamp lands by actual settlers, being act No. 229 of the session laws of 1859,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,

Mr. Coulter,  
DeLand,  
French,  
Gale,  
Galloway,  
Hazen,  
Jones,  
Lacy,  
McDermid,

Mr. Monroe,  
Near,  
Owen,  
Stout,  
Tower,  
Wilder,  
Williams,  
Withey,

26

NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by a vote of two thirds of all said Senators.

House bill, entitled

A bill to legalize a mortgage executed by the trustees of the first congregational society of Newark.

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

YEAS.

Mr. Adair,	Mr. Coulter,	Mr. Monroe,
Backus,	DeLand,	Near,
Bailey,	French,	Owen,
Baker,	Gale,	Stout,
Baldwin,	Galloway,	Tower,
Briggs,	Hazen,	Wilder,
Brown,	Jones,	Williams,
Butterfield,	Lacy,	Withey,
Carpenter,	McDermid,	

26

NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

House bill, entitled

A bill to amend an act to incorporate the village of Hastings, approved February 13, 1855, being act No. 74 of the session laws of 1859, approved February 7, 1859,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

YEAS.

Mr. Adair,	Mr. Coulter,	Mr. Monroe,
Backus,	DeLand,	Mulholland,
Bailey,	French,	Near,
Baker,	Gale,	Owen,
Baldwin,	Galloway,	Stout,
Briggs,	Hazen,	Tower,
Brown,	Jones,	Williams,
Butterfield,	Lacy,	Withey,
Carpenter,	McDermid,	

26

NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect, by a vote of two-thirds of all said Senators.

Senate bill, entitled

A bill to change the name of Sarah B. Blanchard to Sarah B. Markham, and of Charles Blanchard to Charles Markham,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. Carpenter,	Mr. Mulholland,
Backus,	Coulter,	Near,
Bailey,	DeLand,	Stout,
Baker,	French,	Tower,
Baldwin,	Hazen,	Wilder,
Briggs,	Lacy,	Williams,
Brown,	McDermid,	Withey,
Butterfield,		

22

## NAYS.

Mr. Gale,	Mr. Monroe,	Mr. Owen,
Jones,		

4

The title was agreed to.

Senate bill No. 69, being

A bill to amend an act entitled an act to incorporate the Village of Kalamazoo, and the acts amendatory thereto, approved April 1st, 1850, and the acts amendatory thereto;

Came up for third reading and was laid on the table.

Senate bill No. 124, being

A bill to preserve the purity of elections,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Backus,	Mr. Coulter,	Mr. Monroe,
Bailey,	DeLand,	Near,
Baker,	French,	Stout,
Baldwin,	Gale,	Tower,
Briggs,	Hazen,	Wilder,
Brown,	Jones,	Williams,
Butterfield,	Lacy,	Withey,
Carpenter,	McDermid,	

23

## NAYS.

Mr. Adair,	Mr. Galloway,	Mr. Owen,
------------	---------------	-----------

3

The title was agreed to.

Senate bill No. 81, being

A bill to amend section 8 of chapter 65, of the revised statutes of 1846, regulating the execution of deeds and other instruments affecting real estate,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Backus,	Mr. Carpenter,	Mr. McDermid,
Baker,	Coulter,	Monroe,
Baldwin,	French,	Near,
Briggs,	Gale,	Williams,
Brown,	Hazen,	Withey,
Butterfield,	Lacy,	

17

## NAYS.

Mr. Adair,	Mr. Jones,	Mr. Stout,
Bailey,	Mulholland,	Tower,
DeLand,	Owen,	Wilder,
Galloway,		

10

The title was agreed to.

House bill No. 125, entitled

A bill to organize the township of Bath, in the county of Muskegon,

Came up for a third reading,

Mr. DeLand, by unanimous consent, moved to strike out "Bath" in the bill and title, and insert "Cedar Creek;"

Which motion prevailed.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Near,
Backus,	French,	Owen,
Baker,	Galloway,	Stout,
Baldwin,	Hazen,	Tower,
Brown,	Lacy,	Williams,
Butterfield,	McDermid,	Withey,
Coulter,		

19

## NAYS.

Mr. Bailey,	Mr. Gale,	Mr. Mulholland,
Briggs,	Jones,	Wilder,
Carpenter,	Monroe,	

8

The title, as amended, was agreed to, and the bill ordered to

take immediate effect by a vote of two-thirds of all said Senators.

Senate bill No. 86, being

A bill to authorize the First Congregational Church and society of the village of Hudson to sell their church lot, or any part thereof,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

YEAS.

Mr. Adair,	Mr. Coulter,	Mr. Monroe,	
Backus,	French,	Mulholland,	
Bailey,	Galloway,	Near,	
Baker,	Hazen,	Tower,	
Baldwin,	Jones,	Wilder,	
Briggs,	Lacy,	Williams,	
Brown,	McDermid,	Withey,	
Butterfield,			22

NAYS.

Mr. Carpenter,	Mr. Gale,	Mr. Stout,	
DeLand,	Owen,		5

The title was agreed to, and the bill ordered to take immediate effect, by a vote of two thirds of all said Senators.

House bill, entitled

A bill to authorize the trustees of the second society of the Methodist Episcopal Church of Detroit to mortgage real estate,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Monroe,	
Backus,	French,	Mulholland,	
Bailey,	Gale,	Near,	
Baker,	Galloway,	Owen,	
Baldwin,	Hazen,	Stout,	
Briggs,	Jones,	Tower,	
Brown,	Lacy,	Wilder,	
Butterfield,	Lane,	Williams,	
Carpenter,	McDermid,	Withey,	
Coulter,			23

NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

Senate joint resolution, entitled

Joint resolution authorizing the Commissioner of the State Land Office, to adjust with the general government the conflicting claims existing between the general and State governments in relation to the several land grants made to this State, and secure patents for all unsettled balances due this State,

Was read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows :

YEAS.

Mr. Backus, Coulter, DeLand, French,	Mr. Galloway, Hazen, Lacy, McDermid,	Mr. Mulholland, Near, Wilder, Williams,	19
---	---	--	----

NAYS.

Mr. Adair, Bailey, Baker, Baldwin, Briggs, Brown,	Mr. Butterfield, Carpenter, Gale, Green, Jones, Lane,	Mr. Monroe, Owen, Stout, Tower, Withey,	17
--	--	---	----

House bill entitled

A bill authorizing the trustees of the Methodist Episcopal Church of Muskegon, in the county of Muskegon, to mortgage their church edifice and lands,

Came up for a third reading.

Mr. Williams, with consent, moved to amend by adding the following to the last section:

" *Provided*, That whenever any existing mortgage shall be cancelled by the execution of a new one, such new mortgage shall not be made payable and become due at an earlier day than the mortgage so cancelled;,"

Which motion prevailed.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows :



## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Monroe,
Backus,	French,	Mulholland,
Bailey,	Gale,	Near,
Baker,	Galloway,	Owen,
Baldwin,	Green,	Stout,
Briggs,	Hazen,	Tower,
Brown,	Jones,	Wilder,
Butterfield,	Lacy,	Williams,
Carpenter,	Lane,	Withey,
Coulter,	McDermid,	
	NAYS.	29
		0

The title was agreed to, and the bill ordered to take immediate effect, by a vote of two-thirds of all said Senators.

House bill No. 57, entitled

A bill in relation to the collection of recognizances in criminal cases,

Was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. Coulter,	Mr. Lacy,
Backus,	DeLand,	Lane,
Baker,	French,	McDermid,
Baldwin,	Gale,	Mulholland,
Briggs,	Galloway,	Near,
Brown,	Green,	Owen,
Butterfield,	Hazen,	Stout,
Carpenter,		
	NAYS.	22

Mr. Jones,	Mr. Tower,	Mr. Williams,
Monroe,	Wilder,	Withey,
		0

The title was agreed to.

Senate substitute for House bill No. 13, entitled

A bill to provide for the incorporation of associations for the publication of periodicals, newspapers, books, tracts, documents and other publications.

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. Coulter,	Mr. Lane,
Backus,	DeLand,	McDermid,

Bailey,	French,	Mulholland,	
Baker,	Gale,	Near,	
Baldwin,	Galloway,	Owen,	
Briggs,	Green,	Stout,	
Brown,	Hazen,	Williams,	
Butterfield,	Lacy,	Withey,	24

## NAYS.

Mr. Carpenter,	Mr. Monroe,	Mr. Wilder,	
Jones,	Tower,		5

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

Senate bill No. 73, being

A bill to amend an act relative to the State Prison, approved February 12th, 1857, being sections 6231, 6232 and 6233 of compiled laws,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. McDermid,	
Backus,	French,	Monroe,	
Bailey,	Gale,	Mulholland,	
Baker,	Galloway,	Near,	
Baldwin,	Green,	Stout,	
Briggs,	Hazen,	Tower,	
Brown,	Jones,	Wilder,	
Butterfield,	Lacy,	Williams,	
Carpenter,	Lane,	Withey,	
Coulter,			28

## NAYS.

0

On motion of Mr. DeLand,

The title was amended by striking out "6232."

The title, as thus amended, was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

Senate bill No. 77, being

A bill to amend chapter 170, of the revised statutes of 1846, being chapter 200 of the compiled laws by adding four new sections thereto,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,

Mr. Coulter,  
DeLand,  
French,  
Gale,  
Galloway,  
Green,  
Jones,  
Lacy,  
Lane,

Mr. McDermid,  
Mulholland,  
Near,  
Owen,  
Stout,  
Wilder,  
Williams,  
Withey,

26

## NAYS.

Mr. Monroe,

Mr. Tower,

2

On motion of Mr. Owen,

The title was amended by adding thereto, "relative to conditional pardons."

The title, as thus amended, was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

House bill, entitled

A bill to authorize any township in the county of Allegan to levy a special tax for the improvement of Kalamazoo river and harbor,

Came up for a third reading,

Mr. Briggs, leave being granted, moved to amend by striking out of the 3d line of the 1st section the words "have power to draw," and inserting "shall receive orders drawn," in lieu thereof; also, to add two new sections, to stand as sections 7 and 8, as follows:

Sec. 7. The township board shall, at any time after such tax shall be authorized, upon the order of said commissioners, issue orders on the township treasurer for the amount voted to be raised, said orders to be drawn in such denominations as said commissioners shall direct and shall specify definitely the tax upon which they are drawn.

Sec. 8. The township clerk of any township voting tax as above authorized shall, within ten days after the meeting at which said tax shall be authorized, notify William B. Williams,

one of said commissioners, of the raising of said tax, and the amount of the same,

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

YEAS.

Mr. Adair,	Mr. DeLand,	Mr. McDermid,
Backus,	French,	Monroe,
Bailey,	Gale,	Mulholland,
Baker,	Galloway,	Near,
Baldwin,	Green,	Stout,
Briggs,	Hazen,	Tower,
Brown,	Jones,	Wilder,
Butterfield,	Lacy,	Williams,
Carpenter,	Lane,	Withey,
Coulter,		

23

NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect, by a vote of two-thirds of all of said Senators.

Senate bill No. 120, being

A bill to authorize the people of Gratiot, and other new counties, to work out the amount of their indebtedness to this State, on the highways in said counties.

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. French,	Monroe,
Backus,	Gale,	Mr. Mulholland,
Bailey,	Galloway,	Near,
Baldwin,	Green,	Owen,
Briggs,	Hazen,	Stout,
Brown,	Jones,	Tower,
Butterfield,	Lacy,	Wilder,
Carpenter,	Lane,	Williams,
Coulter,	McDermid,	Withey,
DeLand,		

23

NAYS.

Mr. Baker,

1

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

Senate bill No. 102, being

A bill to authorize the board of supervisors of the county of

Ontonagon to raise money by tax or otherwise, for the protection and improvement of the harbor at the mouth of the Ontonagon river,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. McDermid,
Backus,	French,	Monroe,
Bailey,	Gale,	Mulholland,
Baker,	Galloway,	Near,
Baldwin,	Green,	Owen,
Briggs,	Hazen,	Stout,
Brown,	Jones,	Tower,
Butterfield,	Lacy,	Wilder,
Carpenter,	Lane,	Withey,
Coulter,		

23

## NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

Senate bill No. 101, being

A bill to amend an act incorporating the Boston and Pittsburgh mining company, approved March 18, 1848,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Monroe,
Backus,	French,	Mulholland,
Baker,	Galloway,	Near,
Baldwin,	Green,	Owen,
Briggs,	Hazen,	Stout,
Brown,	Jones,	Tower,
Butterfield,	Lacy,	Wilder,
Carpenter,	McDermid,	Withey,
Coulter,		

25

## NAYS.

Mr. Lane,

1

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

Senate bill No. 117, being

A bill to amend chapter 32 of the compiled laws, entitled of limited partnerships,

Came up for a third reading.

Mr. DeLand, leave being granted, moved to amend by adding the following as a new section, to stand as section 24:

Sec. 24. A special partner may from time to time examine into the state and progress of the partnership concerns, and may advise as to their management; he may also loan money to, and advance and pay money for the partnership, and may take and hold the notes, drafts, acceptances, and bonds of or belonging to the partnership, as security for the repayment of such moneys and interest, and may use and lend his name and credit as security for the partnership, in any business thereof, and shall have the same rights and remedies in these respects as any other creditor might have. He may also negotiate sales, purchases, and other business for the partnership, but no business so negotiated shall be binding upon the partnership until approved by a general partner. Excepting as herein mentioned, he shall not transact any business on account of the partnership, nor be employed for that purpose, as agent, attorney, or otherwise. If he shall interfere contrary to these provisions he shall be deemed a general partner;

Which motion prevailed.

On motion of Mr. DeLand,

The word "three," in first line of Section 2 was stricken out, and the word "four" inserted.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

#### YEAS

Mr. Adair,	Mr. DeLand,	Mr. McDermid,
Backus,	French,	Monroe,
Baldwin,	Gale,	Mulholland,
Briggs,	Galloway,	Near,
Brown,	Green,	Owen,
Butterfield,	Hazen,	Tower,
Carpenter,	Lacy,	Withey.
Coulter,	Lane,	

## NAYS.

Mr. Baker, Mr. Jones, 2

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

Senate bill, entitled

A bill to incorporate Tyre Lodge of free and accepted Masons;

Was read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Monree,	
Backus,	Gale,	Mulholland,	
Brown,	Hazen,	Owen,	
Coulter,			10

## NAYS.

Mr. Briggs,	Mr. Green,	Mr. Near,	
Butterfield,	Jones,	Stout,	
Carpenter,	Lacy,	Tower,	
French,	Lane,	Williams,	
Galloway,	McDermid,	Withey,	15

On motion of Mr. Owen,

The last vote was reconsidered, and the bill laid on the table.

Senate bill No. 37, being

A bill making an appropriation for the support of the Michigan Asylum for the deaf, dumb and blind, at Flint, and for completing certain portions thereof,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Monroe,	
Backus,	French,	Mulholland,	
Bailey,	Gale,	Near,	
Baldwin,	Galloway,	Owen,	
Briggs,	Green,	Stout,	
Brown,	Hazen,	Tower,	
Butterfield,	Lacy,	Wilder,	
Carpenter,	Lane,	Williams,	
Coulter,	McDermid,	Withey,	27

## NAYS.

Mr. Baker, Mr. Jones, 2

The title was agreed to.

Senate joint resolution No. 8, entitled

Joint resolution to authorize the Board of State Auditors to audit and allow the claim of William Beard, in the matter of the improvement of navigation over the sand flats of the Muskegon river, and to authorize the Auditor General to draw his warrant on the State Treasurer for such amount as may be allowed,

Came up for a third reading.

Mr. Withey, leave being granted, moved to amend by striking out "in their discretion;"

Which motion prevailed.

Mr. Withey moved further to amend by striking out the words "the time of the approval of this resolution," and inserting, "the allowance of the claim;"

Which motion prevailed.

Mr. Hazen, with consent, moved to amend by adding the following:

*Resolved further*, That the Board of State Auditors shall audit and allow the unpaid balance of the compensation and other expenses incurred, according to the provisions of section 9, of act No. 147, of session laws of 1857, and that the amount thereof shall be deducted from any sum found due by said Board, to the said William Beard, and paid in the same manner, as herein provided by the joint resolution, unless the said William Beard shall produce to the Board of State Auditors satisfactory proof that the provisions of the above section have been complied with;

Which motion prevailed.

The joint resolution was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baker,  
Baldwin,  
Brown,

Mr. Coulter,  
DeLand,  
French,  
Galloway,  
Green,  
Hazen,

Mr. Lacy,  
Monroe,  
Stout,  
Tower,  
Wilder,  
Williams,



Butterfield,  
Carpenter,

Jones,

Withey, 4

32

### NAYS.

Mr. Briggs,  
Gale,  
Lane,

Mr. McDermid,  
Mulholland,

Mr. Near,  
Owen, 7

Mr. Stout moved to amend the title by striking out all after and including "Auditor General," and insert "Commissioner of State Land Office to issue patents of State swamp land therefor."

Which motion prevailed.

The title, as amended, was agreed to, and the joint resolution ordered to take immediate effect by a vote of two-thirds of all said Senators.

House bill No. 114, entitled

A bill to amend an act entitled an act to provide for the drainage and reclamation of swamp lands by means of State roads and ditches, being act No. 117 of the session laws of 1859,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

### YEAS.

Mr. Mr. Adair,  
Backus,  
Bailey,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,

Mr. Coulter,  
DeLand,  
Gale,  
Green,  
Hazen,  
Lacy,  
Lane,

Mr. Monroe,  
Mulholland,  
Near,  
Stout,  
Tower,  
Wilder,  
Withey, 21

### NAYS.

Mr. Baker,  
Carpenter,  
French, .

Mr. Galloway,  
Jones,  
McDermid,

Mr. Owen,  
Williams, 8

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

Senate bill No. 80, entitled

A bill to amend section 1661 of chapter fifty-two of the compiled laws, in relation to the manufacture and sale of spirituous or intoxicating liquors as a beverage,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Bailey,	Mr. French,	Mr. Stout,
Baker,	Green,	Tower,
Briggs,	Jones,	Webb,
Brown,	Lacy,	Wilder,
Butterfield,	McDermid,	Williams,
Carpenter,	Monroe,	
DeLand,	Near,	

19

## NAYS.

Mr. Adair,	Mr. Gale,	Mr. Mulholland,
Backus,	Galloway,	Owen,
Baldwin,	Lane,	Withey,
Coulter,		

10

The title was agreed to.

Senate bill No. 70, being

A bill to make appropriation for building west L to the State prison, and for removing east wall and building work shops, as recommended by the board of inspectors in their annual report for the year 1860,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Mulholland,
Backus,	French,	Near,
Bailey,	Gale,	Owen,
Briggs,	Green,	Tower,
Brown,	Lacy,	Webb,
Butterfield,	Lane,	Williams,
Carpenter,	McDermid,	Withey,
Coulter,	Monroe,	

23

## NAYS.

Mr. Baker,	Mr. Jones,	Mr. Stout,
Galloway,		

4

Mr. DeLand moved that the title be amended so as to read as follows:

"A bill to make appropriations for removing east wall, and building work shops at the State prison;"

Which motion prevailed.

The title, as thus amended, was agreed to.

Senate bill No. 108, being

A bill to amend section 59, chapter 6, of the compiled laws concerning the canvassing of votes at elections,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. French,	Mr. Monroe,	
Backus,	Gale,	Mulholland,	
Baker,	Galloway,	Near,	
Briggs,	Green,	Stout,	
Brown,	Jones,	Tower,	
Carpenter,	Lacy,	Williams,	
Coulter,	Lane,	Withey,	
DeLand,	McDermid,		23

## NAYS.

Mr. Bailey,	Mr. Butterfield,	Mr. Hazen,	3
-------------	------------------	------------	---

The title was agreed to.

Senate bill No. 104, being

A bill to amend section 5860 of the compiled laws, in reference to the crime of Polygamy,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. French,	Mr. McDermid,	
Backus,	Gale,	Monroe,	
Baker,	Galloway,	Mulholland,	
Baldwin,	Green,	Near,	
Brown,	Hazen,	Stout,	
Butterfield,	Jones,	Tower,	
Carpenter,	Lacy,	Williams,	
Coulter,	Lane,	Withey,	
DeLand,			25

## NAYS.

Mr. Bailey,	Mr. Briggs,	2
-------------	-------------	---

The title was agreed to.

Senate bill No. 62, being

A bill to quiet title in the county of Kent,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,  
Coulter,

Mr. DeLand,  
French,  
Gale,  
Galloway,  
Green,  
Hazen,  
Jones,  
Lacy,  
Lane,

Mr. McDermid,  
Monroe,  
Mulholland,  
Near,  
Owen,  
Stout,  
Tower,  
Williams,  
Withey.

23

## NAYS.

0

Mr. Backus moved to amend the title by adding thereto, the words "and other counties;"

Which motion prevailed.

The title, as amended, was agreed to, and the bill ordered to take immediate effect, by a vote of two-thirds of all said Senators.

Senate bill No. 100, being

A bill to amend sections 2014 and 2017 of the compiled laws, in reference to religious societies so as to authorize the recording of articles of association, and to give the trustees, wardens and vestrymen authority to execute securities upon church property in certain cases,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,  
Backus,  
Bailey,  
~~Mr. Baker,~~  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
~~Mr. Carpenter,~~

Mr. Coulter,  
DeLand,  
French,  
Gale,  
Galloway,  
Green,  
Hazen,  
Jones,  
Lacy,

Mr. Lane,  
McDermid,  
Monroe,  
Mulholland,  
Near,  
Stout,  
Tower,  
Williams,  
Withey,

27

## NAYS.

0

The title was agreed to.

On motion of Mr. Baldwin,

The Senate adjourned until Monday morning at 9 o'clock.

*Lansing, Monday, March 4, 1861.*

The Senate was called to order at 9 o'clock.

Prayer by Rev. Mr. Potter.

Roll called : a quorum present.

PETITIONS PRESENTED.

By Mr. Backus: petitions of Samuel Kingston and 16 others, John W. Gilbert and 60 others, W. G. Vinton and 78 others, M. Keith and 57 others, for the repeal of the bounty on salt;

Referred to the committee on salt.

By Mr. Baldwin: petition of F. E. Eldred, Jas. Craig and others, for the same;

Referred to the same committee.

By Mr. French: petition of H. Hopkins, S. W. Mills, J. S. Lanch and 78 others, citizens of Kalamazoo, asking that section one of the prohibitory liquor law be so amended as to restore section one of the law of 1855;

Referred to the committee on State affairs.

REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary :

The committee on the judiciary, to whom was referred House bill No. 98, being

A bill to amend chapter 79 of the revised statutes of 1846, compiled laws, chapter 103, by adding three new sections, numbered sections 54, 55 and 56, in relation to redemptions against sales on executions,

Have had the same under consideration, and would respectfully report the same back to the Senate, with the recommendation that it do pass.

All of which is respectfully submitted.

H. T. BAOKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the judiciary committee :

The committee on the judiciary, to whom was referred House bill No. 106, being

A bill, to amend section 188, of chapter 117, of the compiled laws, in relation to appeals from justices courts,

Have had the same under consideration, and would respectfully report the same back to the Senate, with the recommendation that it do pass, and ask to be discharged.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee:

The committee on the judiciary, to whom was referred House bill No. 100, being

A bill to relieve observers of the seventh day of the week from the necessity of defending suits in violation of their consciences,

Have had the same under consideration, and would respectfully report the same back to the Senate, and recommend it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on manufactures:

The committee on manufactures, to whom was referred

A bill to amend an act entitled an act for the encouragement of agriculture, manufacture and the mechanic arts, approved March 16, 1849, and the act amendatory thereto, approved February 6, 1855,

Have had the same under consideration, and would report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration thereof.

D. G. WILDER, *Chairman.*

The report was accepted, committee discharged, and the bill ordered to a third reading.

By the committee on finance:

The committee on finance, to whom was recommitteed

A bill making appropriation for the Michigan asylum for the insane,

Report that they have had the same under consideration, and respectfully report the same back to the Senate, and recommend that it do pass, and ask to be discharged from the further consideration of the same.

H. P. BALDWIN, *Chairman.*

The report was accepted, the committee discharged, and the bill laid on the table.

By the committee on public instruction:

The committee on public instruction, to whom was referred

A bill to incorporate the public schools of the city of Adrian,

Respectfully report that they have had the same under consideration, and return said bill to the Senate with the recommendation that it do pass.

S. L. WITHEY, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee :

The committee on public instruction, to whom was referred House bill, to organize the Wayne county farm into a school district, and appropriate public moneys to the education of poor children,

Report that they have had said bill under consideration, and return the same to the Senate with the recommendation that section 2 be stricken out, inasmuch as it may, if it has any effect, comprehend too much as a repealing section ; and thus amended, they recommend the bill do pass.

S. L. WITHEY, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on public instruction:

The committee on public instruction, to whom have been referred sundry memorials from different sections of the State, and sundry resolutions passed by public meetings held at Mon-

roe and elsewhere, representing that difficulties exist between the Regents of the University and Dr. Henry P. Tappan, its President, and asking legislative action to define the rights and duties respectively of the Regents, Presidents and Professors,

Respectfully report that information has been communicated to the committee, tending to show that the represented difficulties are likely to be adjusted without legislative interference at this time, and in the strong and confident hope that such will be the result, and that that high sense of duty which ought to actuate the conduct of all parties connected by official relation with our State University, as well as their own self-respect, a regard for the welfare of the institution, and the honor of the State, will triumph over all infringement of individual and official rights and duties, and over all attempts by one party to wrest from another his or their proper and, as in like institutions, customary prerogatives. Your committee recommend that the Legislature take no action whatever in the premises, believing as they do that under the present organization the University ought to, and will correct any and all existing abuses, and that if any regent or officer is found to be a disturber of the peace and harmony of the University, he will in due time be assigned by public sentiment to a less honored place.

S. L. WITHEY, *Chairman*.

The report was accepted, the committee discharged, and the bill laid on the table.

By the same committee:

The committee on public instruction, to whom was referred House bill No. 150, being

A bill to amend an act entitled an act in relation to free schools in the city of Detroit, approved February 7, 1857,

Report that they have had the same under consideration, and return the bill to the Senate with the recommendation that it do pass.

S. L. WITHEY, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.



By the same committee :

The committee on public instruction, to whom was referred, House bill "to provide for the support and maintenance of the Michigan mining school,"

Report that they have had the said bill under consideration, and inasmuch as it is desired by those in the legislature from the Upper Peninsula, who are supposed to know and represent more especially the wishes of the people there resident, your committee can see no valid objection to the passage of the bill. It proposes to confer upon the board of supervisors of any county of the Upper Peninsula, the right to levy and assess upon the property of the county a tax not exceeding two dollars for each person between the ages of five and twenty years. Your committee would recommend that the words "resident therein" be placed between the words "person" and "between," in line five, and when thus amended they recommend that the bill do pass.

S. L. WITHEY, *Chairman.*

The report was accepted, the committee discharged, the amendment concurred in, and the bill ordered to a third reading.

By the committee on roads and bridges :

The committee on roads and bridges, to whom was referred the petition of Isaac Messer and 320 others, citizens of Barry county, asking an appropriation of swamp lands to improve a State road in Barry, Kent and Ionia counties, and also a bill for the same purpose,

Have had the same under consideration, and report the same back to the Senate with a recommendation that the bill do pass, and ask to be discharged from the further consideration of the subject.

All which is respectfully submitted.

N. GREEN, *Chairman.*

The report accepted, the committee discharged, and the bill and petition laid on the table.

By the majority of the committee on finance:

The committee on finance, to whom was referred

A bill to regulate interest, the loaning of money, to prevent the taking of usury, and to secure persons loaning money against fraud ;

Also, a petition respecting the same, have had them under consideration, and respectfully submit the following report:

That in the opinion of your committee the law, as it now exists, prohibiting usury, is sufficient for all practical purposes. By the present statute, all excess of interest is forfeited. Whatever rule may be considered to have been established by the legislation of most countries, there exists a quite general impression that the rate of interest is as much a matter of fluctuation as the price of anything that has a market value. Money is not a fixed standard of value; at most it only measures the relative value between things exchangeable. The price of mere manual labor, setting aside the supply, is regulated by the cost of the support of the laborer. If that cost can be reduced to one standard, say 200 bushels of wheat, then a year's remuneration of such labor should be two hundred bushels of wheat, and if it be worth \$1 per bushel, the pay would be \$200 per annum. What would the clamorous declaimers against usury, or a price for money, say if the pay of labor was fixed at \$200 per annum for the cheapest grade? It would be far more reasonable to establish the price of labor at a good maintenance for the laborer than at any other standard. A reasonable subsistence should always be the price of unskilled labor, as this is the only unvarying standard; but should this be the rule, the laborer would receive \$200, or \$400, as the cost of subsistence changes. How arbitrary, then, to fix by common custom the price of labor at six shillings or a dollar per day, when at one time this dollar may purchase a bushel of wheat, at another time only half that amount.

Again, to-day I may sell 100 bushels of wheat for \$100 and loan the money to my neighbor. At the end of the year my credit with interest would amount to \$107. In the meantime, the comparative market value of wheat and money might change, the the \$107 purchase only fifty bushels. In such case I would

lose the half of my capital. Might I not now ask that my debtor reimburse me the fifty bushels that I have lost, or else give me sufficient money to make good my capital?

These simple illustrations show that upon every correct principle of political economy, money has a fluctuating value, and an attempt to fix an unvarying rate of interest does not mete out unvarying justice to all concerned. Again, the value of money, as between gold and silver, or as between the same kinds of coin, is not uniform. Gold is constantly growing cheaper. The discovery of the mines in California alone has depreciated the relative value of gold about five per cent, as compared with silver, and far more as compared with the price of the necessaries of life. The prices current of provisions, as now daily issued by Richardson & Spencer, in London, differ very materially from the rates put forth two hundred years ago by the thrifty dealers on Fleet street. Since the opening of the mines in the Spanish possessions of the New World, the relative value of gold and silver has depreciated one-half. Not that the coin of that day is worth more than the corresponding dollar of to-day, but it would have then purchased more.

Again, the silver dollar of the coinage of 1854, and of previous years, is worth from 2 to 5 per cent. more than the coinage of any year since that time. The capitalist who, in 1854, loaned \$100 of silver coin, and made it payable also in silver, lost by the transaction, an average of three per cent. saying nothing of interest. Now, to make a comparison based on a previous proposition, that money is constantly growing cheaper, the University of Oxford, which, three hundred years ago, invested a portion of its endowment in the three per cent. public debt of England, has sunken half the sum in the actual depreciation of the relative value of money since that time.

All these considerations go to show that money has a variable value, and interest must vary accordingly.

Again, there are many circumstances that modify rates of interest. The maritime law of nations requires exorbitant rates on sums loaned on what is termed in law language, "bot-

temary," allowed to be large on account of the extraordinary risk incurred. In the West, owing to the precarious security offered, interest necessarily runs high. Property assessed at a given sum in 1855, goes begging now for purchasers at one-half the amount. Loans of money based upon former estimates of value, have been often found poor investments notwithstanding large rates of interest. Farther than this, the facilities for profit are so much more ample in new States, that the profits of money must needs be higher and interest greater accordingly. To leave the rate of interest free, opens inducements to foreign capital. Establish a low rate and capital invested in Michigan will seek investment in newer States, where money will pay higher rates. The law of our State allowing ten per cent interest, has brought into the State millions from New York and the New England States, which, but for this, had sought investment at home.

Again ; cheap rates of interest offer temptations to contract debts. The farms of New York are mortgaged for thousands of dollars, when those of this State are for hundreds, all owing to the facility of obtaining loans and cheap rates of interest. If money was plenty, and the rates of interest could be five per cent., ten years would not pass before the prosperous agriculturalists of Michigan would find their farms mortgaged, and half the proprietors turned stock jobbers and speculators in paper cities and other schemes of visionary character.

Without farther discussing this question, your committee do not think the evil resulting from agreement, for larger rates of interest than allowed by law, so alarming as to require any additional penalties for its violation. They therefore return the bill herewith to the Senate, with the recommendation that it do not pass.

B. G. STOUT, *for the Committee.*

By the minority of the same committee :

The undersigned, a minority of the committee on finance, to whom was referred

A bill to regulate interest, the loaning of money, to prevent

the taking of usury, and to secure persons loaning money against fraud,

Respectfully asks the indulgence of the Senate to submit the following report :

It is a source of great regret that a matter of so much importance as the one embraced in the above mentioned bill, should have been delayed until so late a period of the session, when the multifarious demands upon our time and attention, practically forbid our giving to it that attention which the subject so justly demands, and of like regret that the demands upon my own time have been such as to deny that thorough research and preparation I had designed to bestow upon it. It is only from a consideration of official duty to the people, that has impelled me to venture the task of making a report adverse to the judgment of the majority of the committee.

The subject of usury laws has more or less agitated the public mind since the age when written law was first established and published, for the government of the people. All nations, from the days when the Greeks first began to lay tribute upon the surrounding nations, have established a value in money, and regulated its use. Essentially, money is not different from any other article or thing, manufactured or produced ; but in all ages, places and times, derives its value, distinctness and usefulness, from the force of local laws. All nations have money, or a standard of value ; yet in no two is it alike in designation, sub-division, representation, metal or value. Each establishes and regulates it to suit its own ideas and convenience, and tries the standard coins of others by its own regulations and enactments.

In the United States, as a whole, we have but one currency—one standard of value—regulated by laws of the Congress, and preserved under powers granted in the Federal Constitution. In the several States, though all conform, in intrinsic features, to the general law, yet the use and tender, the for-

bearance and restraint, is in each distinct State, regulated by its own local laws and regulations.

Money is superior to every other species of property, in this, that Government has conferred no such power upon any other product or thing. The metal, or coin, may have an intrinsic value about equal to that which has been established for it; but it is the value given to it by the Government—the laws—that makes it what is termed money, and that gives it a qualification different from any other kind of property.\* This standard or valuation is necessary for all the operations of commerce between citizens of a State, and between States or nations; and without some such convenient and convertible medium, it is almost impossible to conjecture how the commerce of the world could be carried on. It is by this standard that men judge and operate in every article of property, and therefore it seems to be the proper function, and the imperative duty of the Government, to keep it uniform in value, and to fully protect its citizens; it should also keep it, as near as may be, at a uniform and consistent rate, both in standard value, and in its use, exchange and profits.

As the price of the use of money, which we denominate its interest, has as much and in many cases and circumstances more to do with establishing its value, than its weight, metal, or stamp which is given to it by the government, is it not, therefore, necessary that this should also be fixed by firm and rigid laws, so that no improper advantage should be taken by any of this general measure of currency which is intended for use and benefit alike of all?

Money, from the peculiar value which is given it by government, is indispensable to all, and to quote the language of Prof. Whipple, in his able treatise on the necessity of laws to regulate its use as well as its value:

“No other article can be named which is indispensable to the business and necessities of every man; consequently, in this par-

\*NOTE.—Hinsworth's definition of the Latin word “moneta,” is the stamp or impression on money which anciently was the effigy of some of their Gods or Goddesses, that looking upon it, they might be put in mind of the Deity.

ticular, money is totally unlike anything else. It is also unlike all other commodities in this—that there is no one article that is made the subject of trade which any man has any occasion for; on the contrary, select any one we please, and we shall find that comparatively but few persons are in want of it. The variety of products and occupations is almost as great as the variety of commodities. Each man wants only that in which he deals. Even provisions and clothing consist of a great variety of kinds, and scarcely one can be selected which all men want; and no one is indispensable. In case of a scarcity of one, others will be substituted. This difference between all other commodities and money is very natural; for money, being not only the subject of want, but indispensable to all men, a scarcity is felt by all men; like diseases of the blood, it not only affects the heart and the other vital organs, but the remotest extremities; no portion of the system can escape its contagious influence."

Hence arises the necessity for a restriction of the interest upon money. Left free and unrestrained, its very necessity will soon increase its value to exorbitant and extortionate proportions; swallowing up the industry and enterprise of the country, ravishing the people of their independence and homes, joyfully making merchandise even of calamity and necessity, and closing with an iron grasp every avenue of business and profit against those not inheriting their wealth, or accidentally stumbling upon some by-way to fortune, which, to the greedy eyes of capital, has remained undiscovered.

The first argument we are called to meet in this discussion, is, that "money should be left, like all other products, free to bring its own price in the market." This is no basis for argument, for it has no real foundation. Money cannot be left free to bring its own value, for the laws of the land have affixed to it a standard—a legal value by which the value of all other products and property was intended to be and must be judged, a value from which it cannot legally deteriorate. True, the taking of excessive interest or use does deteriorate it to the

borrower, as it increases it to the lender ; hence, argues the usurer, the value of money is fictitious. But how is it when the borrower comes to pay ? Then it has a fixed value ; not only that, it becomes a specific thing. Bank notes will do to lend, but law makes coin the only legal tender to pay the obligation. The whole premise is false and illogical. The very necessity which creates money, forbids that it can be left thus free without swallowing up every other interest. Capital will as naturally find its highest bidder, as water will seek its equilibrium ; it would therefore be only found when it would command the highest prices, and these prices must always be governed by the caprice of the few most desperate and adventurous. Thus left, it would speedily involve its purchasers, and a large quota of innocent parties incidentally connected with them by the necessities of business, in unconditional ruin ; and when no longer such spirits could be found, it would seek other localities to enact the same scene of riot and prostration.

If money is to be thus made free, should there not be equal freedom on the part of those who exchange their labor and their products of labor for it ? If an arbitrary value is to be given by law to coin or its representative, why should not the law also fix the value of labor, so that capital and labor may exist and stand upon an equality ? If money is to be invested by legislation with a power, which, unrestricted, will enable capital to oppress labor, do you not, while enfranchising capital, enslave labor ? If money, then, is to be relieved from legislative restraint, should it not also be divested of the power conferred by legislation upon it to rule and establish all other values by its inflexible standard ?

Equally fallacious is the argument that the law of supply and demand will regulate the price of money. Experience has shown that money is not controlled by the same laws as labor and products, in this regard. As already shown, no other one article is indispensable to every man. The law of demand usually fixes the price of merchandise, while the fact of supply almost invariably fixes the price of produce. Money is different



from either inasmuch as it is a necessity, while particular articles of merchandise or produce are simply a convenience. The laborer who cannot afford to buy wheat can subsist upon corn or potatoes; the purchaser who cannot afford to buy broadcloth can be comfortably clothed in satin or sheeps-gray; but neither can be purchased without money. It is this *actual and unavoidable necessity* which gives value to money, and the greater the necessity the greater becomes the value of the money. Credit, honor, reputation, existence may depend upon the want and obtaining of a given sum of money. Capital may be plenty for all purposes, but the surplus is concentrated in the hands of the few. Give these few the power to set the price upon their money, and what is the result? The capitalist will invariably fathom the depth of the peculiar necessity that influences his customer, and he fixes the value of his money accordingly, to one 20, to another 30, and to a third 50 per cent. His money is not valuable to the general mass of the community, for, as a whole, they have a supply; but to the few who, by misfortune, error, kindness to neighbors or speculation are compelled to borrow, it is a necessity, and in reality it is thus allowed to trade and fatten, to make merchandise of the necessities of the unfortunate.

Another specious argument used by those who are opposed to usury laws, is that the borrower desires it; or that so long as men are willing to give large interest for money, it is wrong to restrict its use; that by leaving it free to seek its own prices it will invite capital, and thus make it more plenty and cheaper.

There is nothing in any usury law, no matter how stringent, to make money any cheaper than the standard rate fixed by law for its use, when loaned. They only intend to prevent it from growing dearer, and it is preposterous to believe if the borrower paid more, he could get more to use; because invariably, when it bears the highest price it is the most difficult to get. The fact that some men give exorbitant rates of interest is not proof of willingness or a desire to do so; it is only proof of some stringent necessity, or of want of financial ability, and

sometimes of premeditated dishonesty. The honest borrower always desires to get it as cheap as possible, because he desires to pay, and it is not supposable that there is a man living who does not realize the fact, that the greater interest he has to pay the more increased are the difficulties to do so, and the probabilities of an ultimate failure altogether. The argument is too weak an invention to pass current even for an accusation, for every man must know that the more he pays the sooner does he put his all into the hands of the lender, and deprive himself of the ability again either to borrow or pay. So, also, is the argument that a high rate will tend to draw in more capital. Money is far too sensitive to be often or deeply deceived. None know better the fatal effects of high rates of interest than the lender. Those only will be accommodated who have ability to pay. The borrower who has mortgaged his property once and cannot pay the interest, will seldom, if ever, find a capitalist who will renew or increase the loan, even at a higher rate of interest. Such an act would indeed be an act of folly; a luxury, capital never indulges in, no matter how great the temptation.

But granting that for a time money would, in such an instance, become more plenty. As soon as it is invested—as soon as it is loaned upon security, and the first using exhausted—the tide is then turned. The borrower is almost immediately compelled to pay interest: this is accompanied with the incidental expense of purchasing coin or exchange, and thus is the value increased, until it takes the entire profits of his business to meet the demands. Instead of permanently increasing the circulating medium, it then commences to drain away by a slow but certain process, all the available means of the borrower. To a community thus dependent, it is the worst curse and the surest road to ruin and bankruptcy, that can be imagined.

The experiment of free trade in money as to interest, has been fully tried but once, and that by the French nation under the rule of the Directory of that nation. A single year pre-

duced such unmitigated disaster and ruin, that the law was repealed a few months after its enactment.

No rational man can doubt that the main cause of the universal complaint from the people of Michigan, of the scarcity of money, and of the laxity of so large a portion of our people in paying their indebtedness, is solely attributable to the almost absolute power which capitalists possess over labor, by reason of the looseness and inefficiency of our usury laws. Instead of diminishing, the evil is constantly increasing, and the only manner in which the people will ever be able to free themselves from debt, is to resort to legal protection against the power and the inexorable demands of money lenders.

Usury laws have been in force in ancient and modern times, in almost all the civilized States of the world, and are now in use, to a greater or less extent, in every State in the Union, with the exception of California. The experiment has been repeatedly tried, in one or another of them, to dispense with their use, and it has invariably resulted in increasing the rate of interest, or value of money, and in most instances to a truly exorbitant and ruinous extent. In this respect, it would be well for us to call to mind the result of such action in Wisconsin, in 1849, in Minnesota, in Iowa, and in California. Indeed, without these, the palpable and undeniable facts that in all those States where interest is fixed at high rates, the greater is the stringency for money, the more pressing the demand, and the more frequent and palpable are the evasions of the usury laws, make up proof "strong as Hely writ" upon the propriety and necessity of such restrictions.

The fact that usury laws are sometimes avoided or violated, is no argument against them or their necessity, but exactly the contrary. Almost all kinds of laws are violated, not because the laws are wrong in principle, but because in all communities we find men who are governed by passion, cupidity or folly; men lacking in honor, character, and a proper regard for the interests and rights of their fellow men. It only proves the ne-

cessity of law and of its faithful and impartial execution for the protection of honest and law-abiding citizens.

It is fashionable to argue that usury laws cannot be enforced, and carried away by this idea, many have been led to doubt the policy of such laws, and to talk and use their influence against their enactment, and, finally, to assume that they *should not be enforced*. This is a great error, and a mischievous argument. Let us examine it. By law, a bushel of wheat is fixed at sixty pounds. Wheat is sometimes in as great or greater demand than money, and brings an exorbitant price, the same as money. Imagine a purchaser of wheat deliberately forging his scales at such a time, so ~~as~~ to make false weight, under the pretence that the price was too high, or that he could not afford to pay the advanced price unless he changed his scales so as to take sixty-four or five pounds to the bushel. Or if it was corn, he should, for a like pretence, take sixty instead of fifty-six pounds for a bushel? Is there a man in the country who would not say he should be punished for such an act? Would not the extreme rigor of the law be applied by the person thus swindled, and would not the whole community justify him? And yet, what is the difference, practically or morally, in thus taking a man's substance or produce, and extorting from him money on or by usurious contracts? It is law that makes sixty pounds of wheat a bushel, and it is law that fixes the intrinsic value and the use of money. If it is just to punish a man who takes advantage of his neighbor by fraud, it is more just to cause him to remunerate him for making merchandise of his necessities, and thus trampling down both the man and the law designed to protect him. Such argument, though often used, is a disgrace to the fair fame of the people, and a warning to all men, to have as little as possible to do with any man who uses or countenances it.

The bill under consideration is not as perfect or as stringent as we have reason to think the people desire. It does not essentially reduce the rates below the present statute, but it increases the penalties for its violation, and contains other pro-

visions intended to protect the people from an evil of equal magnitude,—that of including property as a part of the consideration, of obligations ostensibly given to secure money, and some other provisions which the undersigned believes necessary to the prosperity of the State, and to secure the people against usurious demands, and eradicate other of the evils that exist under our present loose and insufficient usury laws.

The minority of the committee, therefore, respectfully recommends that the bill, or one similar in its provisions, do pass, and join in the request of the majority, to be discharged from the further consideration thereof.

All of which is respectfully submitted.

CHARLES V. DELAND.

The reports were laid on the table, and 300 copies of each ordered printed for the use of the Senate.

The petition and bill were laid on the table, and the bill ordered printed.

By the committee on incorporations :

The committee on incorporations, to whom was referred

A bill to amend an act entitled an act to revise the charter of the city of Port Huron, approved February 15, 1859,

Have had the same under consideration, and respectfully report the same back to the Senate without amendment, recommend that the same do pass, and ask to be discharged from the further consideration thereof.

JOS. R. WILLIAMS, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the majority of the committee on incorporations:

The committee on incorporations, to whom was referred

A bill to change a portion of the boundary line between the city of Detroit and the township of Hamtramck, in the county of Wayne;

Also,

A bill to attach a portion of the 10th ward, in the city of Detroit, to the township of Hamtramck, in the county of Wayne;

Also, the petitions of Henry Zender and others, and Henry Gies and others, relative to the subject of the above named bills;

Also, a memorial and petition for relief against taxes, and other burdens imposed under color of the revised charter, upon the people of the 9th ward of Detroit, signed by Olney Cook and 17 others;

Also, petition praying relief against the taxes and other burdens imposed upon the people of the 9th ward in Detroit, signed by John Brown and others;

Respectfully report that they have had the same under consideration, and report the bills in question back to the Senate without any recommendation. They also report that no new bill could be constitutionally introduced into the present Legislature, which would relieve the petitioners of the burdens which they describe.

Your committee disclaim the idea that they do not sympathize with all citizens of the State, living in the suburbs of municipal corporations, who are obliged to bear the burdens of city expenditures, while pursuing rural occupations. At the same time they feel the force of the necessity that embraces area wide enough, to bring under police regulations, all the population and settlements likely to disturb the peace of a community, and also territory enough to adopt comprehensive and economical systems relative to supplying a large city with water, with gas and with sewerage.

Your committee return to the Senate all the papers referred to them, and ask to be discharged from the further consideration of the subject.

All of which is respectfully submitted.

JOS. R. WILLIAMS, *Chairman.*

Mr. Baldwin gave notice that to-morrow he should ask leave to submit a minority report.

The report of the majority was laid on the table.

By the committee on incorporations :

The committee on incorporations find that the Senate have placed in their charge

A bill to amend an act entitled an act to incorporate the city of Lansing.

On a close and careful examination they discover that the operation of said bill would be to sanction the "secession" of the first ward of the city in imitation of the vicious example of South Carolina.

Your committee are compelled to acknowledge that they can see no objections to the bill on the ground of its curtailing the territorial limits of the city, for enough still remains to accommodate several very respectable cities and still leave them ample room for expansion—

"No pent up Utica contracts our powers;  
The whole boundless continent is ours."

Your committee have no doubt that the bill possesses all the merits necessary to commend itself to the favorable regards of this Senate, for the bantling has been entirely left to "speak for itself," and no person has yet appeared before your committee to urge its claims, or even to acknowledge its paternity. The city of Lansing was chartered by the Legislature in 1859, and the presumption of your committee is that the people of Lansing knew what they wanted, and expected to live fraternally under a common flag for four or five years at least.

Your committee find that the proportion of "city orders," so snugly stowed away in the Treasury of this State, which would equitably fall upon the secessionists of the seceding ward, have not been cancelled; nevertheless, your committee repel with due indignation the unworthy insinuation that the framers of this bill were actuated by a desire to avoid the payment of their just proportion of the aforesaid "city orders."

Your committee unanimously recommend that the citizens of Lansing remain and live together, cultivating a spirit of harmony, christian kindness and brotherly love, one to another, setting an example to all the lesser cities worthy of the capital of this great State, and worthy of the illimitable extent and future grandeur of this city. If a divorce *a vinculo matrimonii* is still insisted on, your committee would humbly recommend

the parties to apply to the courts of our sister, Indiana, where they would be more likely to obtain speedy relief than from the Legislature of Michigan. From their arduous and exhausting labors, your committee now ask to be discharged without any further recommendation in the premises.

All of which is respectfully submitted.

J. CARPENTER, *in behalf of Committee.*

The report was accepted, the committee discharged, and the bill laid on the table.

By the committee on public lands :

The committee on public lands, to whom was referred

A bill to amend an act entitled an act disposing of certain grants of land made to the State of Michigan, for railroad purposes, by act of Congress, approved June 3d, 1856, approved February 14, 1857,

Respectfully report that they have had the same under consideration, and report the same back to the Senate without recommendation, and ask to be discharged from the further consideration of the same.

EZRA HAZEN, *Chairman.*

The report was accepted, the committee discharged, and the bill laid on the table and ordered printed.

#### MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Backus,

Senate bill No. 23, being

A bill to amend sections 3520, 3521 and 3522, of chapter 115, of the compiled laws, concerning the abatement and revivor of suits in chancery,

Was taken from the table.

The question being on concurring in the amendments made by the House, the same were not concurred in, the following being the vote thereon:

YEAS.

Mr. Carpenter,

1

NAYS.

Mr. Adair,  
Backus,

Mr. Coulter,  
DeLand,

Mr. Near,  
Owen,



Bailey,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,

Gale,  
Green,  
Jones,  
Lacy,  
Lane,  
McDermid,

Stout,  
Tower,  
Wilder,  
Williams,  
Withey,

23

Mr. Owen gave notice that on to-morrow he would move a reconsideration of the vote by which Senate bill No. 80, entitled

A bill to amend section 1661, of chapter 52, of compiled laws, in relation to the manufacture and sale of spirituous or intoxicating liquors as a beverage,

Was passed, on Saturday last.

Mr. Gale presented a memorial of Whitney Jones, on the subject of his testimony, as reported by the select joint committee to investigate the Treasury Department of the State, and the official acts of John McKinney, late State Treasurer ;

Which memorial was laid on the table.

Mr. Bailey moved that the bill to amend an act entitled an act to provide for laying out a State road in Ionia, Kent and Barry counties, and to make an appropriation of swamp lands to aid in the construction of said road, be printed ;

Which motion prevailed.

On motion of Mr. French,

The special order for this hour (11 o'clock) was postponed till 2 o'clock P. M.

Mr. Carpenter moved that the committee of the whole be discharged from the further consideration of Senate bill No. 116, and that the bill be ordered to a third reading ;

Which motion prevailed.

On motion of Mr. French,

The committee of the whole was discharged from the further consideration of House bill No. 40, entitled

A bill to amend chapter 23, of the compiled laws, relative to obstructions and encroachments of highways.

On motion of Mr. Near,

The bill was amended by striking out the word "sixty," in

line 5, of section 2, and in line 1, of section 3, and inserting "thirty" in lieu thereof.

The bill was ordered to a third reading.

Mr. Brown moved to take from the table Senate bill No. 69, being

A bill to amend an act entitled an act to amend an act to incorporate the village of Kalamazoo, and the acts amendatory thereto, approved April 1, 1850, and the acts amendatory thereto;

Which motion prevailed.

On motion of Mr. Brown,

The bill was amended by striking out of line 12, of section 7, the words, "and retailers of fermented liquors."

On motion of Mr. DeLand,

The word "and," between "keepers" and "common," in line 11, was stricken out; also, the word "removed," in line 16, and "compel the removal of," inserted.

The bill was ordered to a third reading.

Mr. Coulter moved that the committee of the whole be discharged from the further consideration of Senate bill, entitled

A bill to authorize the supervisors of the several towns in the Upper Peninsula to assess and collect the State tax upon all mining companies' real estate or other property, not actually engaged in mining;

Which motion prevailed.

On motion of Mr. Coulter,

A new section was added, to stand as section 2.

The bill was ordered to a third reading.

Mr. DeLand moved to discharge the committee of the whole from the further consideration of Senate bill No. 76, being

A bill to amend an act entitled an act relative to convicts sentenced to solitary confinement in the State prison for life, approved April 2, 1849, section 6230 of compiled laws,

And that the same be placed on the order of third reading;

Which motion prevailed.

Mr. DeLand moved to discharge the committee of the whole from the further consideration of Senate bill No. 129, being

A bill relative to the letting of contracts by State officers, boards of control, inspectors or commissioners,

And that the same be placed on the order of third reading,

Which motion prevailed.

Mr. DeLand moved to take from the table, Senate bill No. 60, being

A bill relative to brokers and exchange dealers;

Which motion prevailed.

Mr. DeLand moved to amend by inserting after "securities," in line 12, section 8, the words, "or receiving such deposits."

Which motion prevailed.

Mr. Stont moved to amend by adding to section 5 the following: "but said supervisor or assessor shall deduct from such capital stock all indebtedness of such brokers or exchange dealers upon which they pay interest, before he shall proceed to assess any tax upon such capital stock;"

Which motion did not prevail.

Mr. Withey moved to strike out section 6;

Which motion did not prevail.

Mr. Withey moved to strike out of section 7 the words, "which statement shall also contain a statement of the deposits on the day on which said statement was made," and insert "as capital" in the place thereof.

Pending which, the Senate took a recess until 2 o'clock P. M.

#### AFTERNOON SESSION.

The Senate was called to order at 2 o'clock.

Roll called: a quorum present.

The pending amendment to section 7 prevailed.

Mr. French moved to amend section 8 by striking out the words, "shall have any connection with, or hold any stock, &c;"

Which motion prevailed.

Mr. Withey moved to strike out all after the word "State," in the second line of section 8;

Which motion did not prevail.

Mr. DeLand moved to strike out all after the word "bank" in the fifth line of same section;

Which motion prevailed.

Mr. Stout moved to strike out "five" in the third line, and insert "one;" also strike out "two" and insert "one;"

Which motion prevailed.

Mr. DeLand moved to reconsider the last vote;

Which motion prevailed, by the following vote:

#### YEAS.

Mr. Backus, Baker, Brown, Butterfield, Carpenter,	Mr. DeLand, Galloway, Green, Hazen, Lacy,	Mr. Lane, McDermid, Monroe, Mulholland,	14
---	---	--	----

#### NAYS.

Mr. Adair, Bailey, Baldwin, Briggs, Coulter,	Mr. French, Jones, Near, Owen,	Mr. Stout, Tower, Wilder, Withey,	18
--	---	--	----

The motion to strike out and insert, did not prevail, the following being the vote thereon:

#### YEAS.

Mr. Adair, Bailey, Briggs, Coulter,	Mr. French, Gale, Jones, Near,	Mr. Owen, Stout, Withey,	11
--	---	--------------------------------	----

#### NAYS.

Mr. Backus, Baker, Baldwin, Carpenter, DeLand,	Mr. Galloway, Green, Hazen, Lacy, Lane,	Mr. McDermid, Monroe, Mulholland, Tower, Wilder,	15
--	---	--	----

Mr. Stout moved to add to section 7 the words: "The provisions of this section shall also apply to all persons receiving deposits;"

Which motion did not prevail, the following being the vote thereon:

## YEAS.

Mr. Adair,  
Bailey,  
Baker,  
Butterfield,

Mr. French,  
Gale,  
Jones,

Mr. Owen,  
Stout,  
Withey,

10

## NAYS.

Mr. Backus,  
Baldwin,  
Briggs,  
Carpenter,  
DeLand,  
Galloway,

Mr. Green,  
Hazen,  
Lacy,  
Lane,  
McDermid,

Mr. Monroe,  
Mulholland,  
Near,  
Tower,  
Wilder,

16

Mr. Jones moved to strike out the proviso in the first section;  
Which motion did not prevail.

Mr. DeLand moved that the bill be placed on the order of  
third reading.

Mr. DeLand gave notice that he should to-morrow move to  
reconsider the vote by which House bill No. 82 was not passed.

The President, by unanimous consent, announced the follow-  
ing

## MESSAGE FROM THE GOVERNOR :

EXECUTIVE OFFICE, }  
Lansing, March 4, 1861. }

*To the Senate :*

I have approved and deposited in the office of the Secretary  
of State the following :

An act to amend the charter of the village of Hillsdale;

Also,

An act to amend section fifty-five of an act entitled an act to  
provide for assessing property at its true value, and for collect-  
ing taxes thereon, approved February 14, 1853;

Also,

An act to incorporate the city of Coldwater;

Also,

An act to amend section 8483, chapter 113, of the compiled  
laws, regulating the recording and authentication of notices of  
lis pendens;

Also,

An act to amend section 2 of an act entitled an act to revise the charter of the city of Grand Rapids, approved February 14, 1857;

Also,

An act to authorize the Detroit & Milwaukee Railroad Company to issue stock in place of the original stock of the Detroit & Milwaukee Railway Company;

Also,

An act to change the name of John Gregg to Charles Welcome Hill ;

Also,

An act authorizing the transfer by the board of control, of a grant of land made to the State of Michigan by an act of Congress, passed June 3, 1856, to aid in the construction of a railroad from Marquette, on Lake Superior, to the Wisconsin State line, and the re-location of the same ;

Also,

Joint resolution relative to the Agricultural college ;

Also,

Joint resolution relative to the publishing of a manual.

AUSTIN BLAIR.

The message was laid on the table.

SPECIAL ORDER.

On motion of Mr. French,

The Senate went into committee of the whole on the special order,

Mr. Gale in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report :

The committee of the whole have had under consideration Senate bill No. 97, entitled

A bill relative to laying out, altering and discontinuing highways;

Also, Senate bill No. 85, being

A bill to alter and amend chapter 22, of title 9, of the com-

piled laws, in relation to laying out, altering and discontinuing public roads and highways,

Have made sundry amendments thereto, and report the same back to the Senate, asking concurrence therein, and to be discharged from the further consideration of the same.

E. G. GALE, *Chairman*.

The report was accepted, the committee discharged, the amendments concurred in, and the bills ordered to a third reading,

On motion of Mr. DeLand,

The Senate took a recess till 7 o'clock P. M.

---

EVENING SESSION.

The Senate was called to order at 7½ o'clock.

Roll called: a quorum present.

On motion of Mr. Withey,

Joint resolution to provide for amendments of article six, sections two and three; article nine, section one; article fifteen, sections one, two and four; article twenty, section two, of the constitution of the State of Michigan,

Was taken from the table.

On motion of Mr. Withey,

The proposed amendment to section 1 of article 9 was amended so as to read as follows:

Sec. 1. From and after January 1st, 1864, the judges of the circuit court shall each receive an annual salary of \$2,000. From and after January first, 1863, the Governor shall receive an annual salary of \$2,000. The State Treasurer shall receive an annual salary of \$1,500. The Auditor General shall receive an annual salary of \$1,500. The Superintendent of Public Instruction shall receive an annual salary of \$1,200. The Secretary of State shall receive an annual salary of \$1,000. The Commissioner of the Land Office shall receive an annual salary of \$1,000. The Attorney General shall receive an annual salary of \$1,000. They

shall receive no fees or perquisites whatever, for the performance of any duties connected with their office.

Mr. Tower moved to strike out "\$2,000" where it first occurs, and insert "\$1,500;"

Which motion did not prevail.

Mr. Williams moved to amend section 1 of article 5, by adding thereto the words "by special law;"

Which motion prevailed.

Mr. Carpenter moved to strike out the proposed amendment to section 2, of article 15;

Mr. Lane moved to strike out the entire proposed amendment to section 1, of article 9;

Pending which,

Mr. Carpenter moved to strike out \$1,200, as the salary of the Superintendent of Public Instruction, and insert \$1,000;

Which motion did not prevail.

Mr. Owen moved to strike out all pertaining to judges of the circuit courts;

Which motion did not prevail.

The question recurring on the motion to strike out the entire proposed amendment to section 1, of article 9, the same did not prevail, the following being the vote thereon:

#### YEAS.

Mr. Baker,  
Brown,  
Galloway,  
Green,

Mr. Lane,  
McDermid,  
Mulholland,  
Stout,

Mr. Tower,  
Webb,  
Wilder,

11

#### NAYS.

Mr. Adair,  
Backus,  
Bailey,  
Baldwin,  
Briggs,  
Butterfield,  
Carpenter,

Mr. Coulter,  
DeLand,  
French,  
Gale,  
Hazen,  
Lacy,

Mr. Monroe,  
Near,  
Owen,  
Strickland,  
Williams,  
Withey,

10

Mr Baldwin moved to insert an additional section, to read as follows :



"That section 6, of article 13, shall be amended so as to read as follows :

Section 6. There shall be elected in the year 1863, at the time of the election of a justice of the supreme court, eight regents of the University, two of whom shall hold their office for two years, two for four years, two for six years, and two for eight years. They shall enter upon the duties of their office on the first of January next succeeding their election. At every regular election of a justice of the supreme court thereafter, there shall be elected two regents whose term of office shall be eight years. Whenever a vacancy shall occur in the office of regent, it shall be filled by appointment of the Governor. The regents thus elected shall constitute the board of regents of the University of Michigan."

Which motion prevailed by the following vote :

YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Lacy,	
Backus,	French,	Monroe,	
Baldwin,	Gale,	Owen,	
Brown,	Galloway,	Stout,	
Butterfield,	Green,	Webb,	
Coulter,	Hazen,	Withey,	18

NAYS.

Mr. Bailey,	Mr. Lane,	Mr. Strickland,	
Baker,	McDermid,	Tower,	
Briggs,	Mulholland,	Wilder,	
Carpenter,	Near,	Williams,	
Jones,			18

Mr. Wilder moved to strike out of the proposed amendment to article 2, of section 6, that portion relating to an additional judge of the supreme court.

Mr Owen moved the previous question,

The main question was ordered.

The motion to strike out did not prevail, the following being the vote thereon :

YEAS.

Mr. Briggs,	Mr. Jones,	Mr. Tower,
French,	Lane,	Wilder,

Gale,  
Galloway,

Mulholland,  
Stout,

Williams,

11

NAYS.

Mr. Adair,  
Backus,  
Bailey,  
Baldwin,  
Butterfield,  
Coulter,

Mr. DeLand,  
Green,  
Hazen,  
Lacy,  
McDermid,  
Monroe,

Mr. Near,  
Owen,  
Strickland,  
Webb,  
Withey,

17

Mr. Coulter moved that section six of article nineteen of said Constitution be amended so as to read as follows :

Section 6. That elections for all district or county officers, State Senators or Representatives within the boundaries defined in this section, shall take place on the Tuesday succeeding the first Monday of November in the respective years in which they may be required, the county canvass shall be held on the first Monday thereafter, and the district canvass on the third Monday of said November ;

Which motion prevailed.

Mr. Withey moved that the order of business be suspended, and the joint resolution put upon its immediate passage ;

Which motion prevailed.

The joint resolution was read a third time.

The first proposition, viz :

That section two of article six be amended so as to read as follows :

Sec. 2. For the term of six years and thereafter, until the Legislature otherwise provide, the judges of the several circuit courts shall be judges of the supreme court, four of whom shall constitute a quorum. A concurrence of three shall be necessary to a final decision. After six years, the Legislature may provide by law for the organization of a supreme court, with the jurisdiction and powers described in this constitution, to consist of one chief justice, three associate justices, to be chosen by the electors of the State. Such supreme court, when so organized, shall not be changed or discontinued by the Legislature for eight years thereafter. The judges thereof shall be so classified that

but one of them shall go out of office at the same time. Their term of office shall be eight years : *Provided*, The Legislature may, in its discretion, at any time increase the number of judges to five, in which case the term of office shall be ten years; and the Legislature shall so classify the said five judges as that but one judge shall go out of office at the same time,

Was not adopted, two-thirds of all the Senators elect not voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. Carpenter,	Mr. Lacy,	
Backus,	Coulter,	Monroe,	
Bailey,	DeLand,	Owen,	
Baker,	Green,	Strickland,	
Baldwin,	Hazen	Withey,	
Butterfield,			16

## NAYS.

Mr. Briggs,	Mr. Jones,	Mr. Stout,	
Brown,	Lane,	Tower,	
French,	McDermid,	Webb,	
Gale,	Mulholland,	Wilder,	
Galloway,	Near,	Williams,	15

The second proposition, viz: That section 3 of article 6 be amended so as to read as follows:

Sec. 3. The supreme court shall have a general superintending control over all inferior courts, in such manner as the Legislature may prescribe, and shall also have power to issue writs of error, habeas corpus, mandamus, quo warranto, procedendo, and other original and remedial writs, and to hear and determine the same. In all other cases it shall have such appellate jurisdiction only as the Legislature may prescribe,

Was not adopted, two-thirds of all the Senators elect not voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Near,	
Baker,	French,	Owen,	
Briggs,	Gale,	Strickland,	
Brown,	Galloway,	Williams,	
Carpenter,	Green,	Withey,	
Coulter,	Mulholland,		17

## NAYS.

Mr. Backus,	Mr. Jones,	Mr. Monroe,
Bailey,	Lacy,	Stout,
Baldwin,	Lane,	Tower,
Butterfield,	McDermid,	Wilder,
Hazen,		

13

The third proposition, viz: That section 1, of article 9, of the Constitution, be amended so as to read as follows:

Section 1: From and after January first, 1863, the Governor shall receive an annual salary of \$2,000. The judges of the circuit court shall each receive an annual salary of \$2,000. The State Treasurer shall receive an annual salary of \$1,500. The Auditor General shall receive an annual salary of \$1,500. The Superintendent of Public Instruction shall receive an annual salary of \$1,200. The Secretary of State shall receive an annual salary of \$1,000. The Commissioner of the State Land Office shall receive an annual salary of \$1,000. The Attorney General shall receive an annual salary of \$1,000. They shall receive no fees or perquisites whatever, for the performance of any duties connected with their offices,

Was not adopted, two-thirds of all the Senators elect not voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. Butterfield,	Mr. Near,
Baker,	Coulter,	Owen,
Baldwin,	Gale,	Williams,
Briggs,	Monroe,	Withey,

12

## NAYS.

Mr. Backus,	Mr. Green,	Mr. Mulholland,
Bailey,	Hazen,	Stout,
Brown,	Jones,	Strickland,
Carpenter,	Lacy,	Tower,
DeLand,	Lane,	Webb,
French,	McDermid,	Wilder,
Galloway,		

19

The fourth, fifth and sixth propositions, viz:

That section 1, of article 15 shall be amended so as to read as follows:

Sec. 1. Corporations may be formed under general laws,

but shall not be created by special act, except for municipal purposes. All laws passed pursuant to this section may be amended, altered or repealed. But the Legislature may, by a vote of two-thirds of the members elected to each House, create a single bank with branches.

That section two, article fifteen of said constitution be so amended as to read as follows :

Sec. 2. No general banking law shall have effect until the same shall, after its passage, be submitted to a vote of the electors of the State, at a general election, and be approved by a majority of the votes cast thereon at such election.

That section 4, of article 15, of said Constitution, be amended so as to read as follows:

Sec. 4. For all banks organized under general laws, the Legislature shall provide for the registry of all bills or notes issued or put in circulation as money, and shall require security to the full amount of notes and bills so registered, in State or United States stocks bearing interest, which shall be deposited with the State Treasurer for the redemption of such bills or notes in specie;

Was adopted, two thirds of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. Gale,	Mr. Mulholland,	
Bailey,	Galloway,	Near,	
Baker,	Hazen,	Owen,	
Baldwin,	Jones,	Stout,	
Brown,	Lacy,	Tower,	
Butterfield,	Lane,	Webb,	
Carpenter,	McDermid,	Williams,	
Coulter,	Monroe,	Withey,	25
French,			

## NAYS.

Mr. Backus,	Mr. DeLand,	Mr. Strickland,	
Briggs,	Green,	Wilder,	6

The seventh proposition, viz :

That section 6, of article 13, be so amended as to read as follows :

**Sec. 6.** There shall be elected in the year 1863, at the time of the election of a justice of the supreme court, eight regents of the University, two of whom shall hold their office for two years, two for four years, two for six years, and two for eight years. They shall enter upon the duties of their office on the first of January next succeeding their election. At every regular election of a justice of the supreme court thereafter, there shall be elected two regents, whose term of office shall be eight years. When a vacancy shall occur in the office of regent, it shall be filled by appointment of the Governor. The regents thus elected shall constitute the board of regents of the University of Michigan,

Was not adopted, two-thirds of all the Senators elect not having voted therefor, as follows :

## YEAS.

Mr. Adair,	Mr. Coulter,	Mr. Lacy,	
Backus,	French,	Owen,	
Bailey,	Gale,	Stout,	
Baldwin,	Galloway,	Webb,	
Brown,	Hazen,	Withey,	15

## NAYS.

Mr. Baker,	Mr. Jones,	Mr. Near,	
Briggs,	Lane,	Strickland,	
Butterfield,	McDermid,	Tower,	
Carpenter,	Monroe,	Wilder,	
DeLand,	Mulholland,	Williams,	16
Green,			

The eighth proposition, viz :

That section seven, of article nineteen of said constitution, be amended so as to read as follows :

**Sec. 7.** That elections for all district or county officers, State Senators or Representatives within the boundaries defined in this article, shall take place on the Tuesday succeeding the first Monday of November in the respective years in which they may be required. The county canvass shall be held on the first Monday thereafter, and the district canvass on the third Monday of said November,

Was adopted, two-thirds of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. French,	Mr. Mulholland,
Backus,	Gale,	Near,
Bailey,	Galloway,	Owen,
Baker,	Hazen,	Stout,
Baldwin,	Jones,	Strickland,
Briggs,	Lacy,	Tower,
Brown,	Lane,	Webb,
Butterfield,	McDermid,	Williams,
Carpenter,	Monroe,	Withey,
Coulter,		

28.

## NAYS.

Mr. DeLand,	Mr. Green,	Mr. Wilder,	3
-------------	------------	-------------	---

The ninth proposition, viz:

That section two, of article twenty, of said constitution be so amended as to read as follows:

Sec. 2. At the general election to be held in the year one thousand eight hundred and sixty-six, and in each sixteenth year thereafter, and also at such other times as the Legislature may by law provide, the question of the general revision of the constitution shall be submitted to the electors qualified to vote for members of the Legislature, and in case a majority of the electors so qualified, voting at such election, shall decide in favor of a convention for such purpose, the Legislature, at the next session, shall provide by law for the election of such delegates to such convention. All the amendments shall take effect at the commencement of the year after their adoption,

Was adopted, two-thirds of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. Gale,	Mr. Near,
Bailey,	Galloway,	Owen,
Baker,	Green,	Stout,
Baldwin,	Hazen,	Strickland,
Briggs,	Jones,	Tower,
Brown,	Lane,	Webb,
Butterfield,	McDermid,	Williams,
Coulter,	Monroe,	Withey,
French,	Mulholland,	

26

## NAYS.

Mr. Backus,  
Carpenter,

Mr. DeLand,  
Lacy,

Mr. Wilder,

On motion of Mr. Williams,

• The vote by which the seventh proposition was not adopted was reconsidered;

The seventh proposition was then adopted, two-thirds of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baldwin,  
Brown,  
Butterfield,  
Coulter,  
DeLand,

Mr. French,  
Gale,  
Galloway,  
Green,  
Hazen,  
Lacy,  
McDermid,  
Mulholland,

Mr. Near,  
Owen,  
Stout,  
Strickland,  
Tower,  
Webb,  
Williams,  
Withey,

24

## NAYS.

Mr. Baker,  
Briggs,

Mr. Carpenter,  
Jones,

Mr. Monroe,  
Wilder,

6

Mr. Strickland moved to reconsider the vote by which the second proposition was not adopted;

Which motion prevailed.

The question being on the second proposition, the same was not adopted, two-thirds of all the Senators elect not voting therefor, as follows:

## YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baker,  
Brown,  
Butterfield,  
Carpenter,

Mr. Coulter,  
French,  
Gale,  
Galloway,  
Hazen,  
Near,

Mr. Owen,  
Strickland,  
Tower,  
Webb,  
Williams,  
Withey,

19

## NAYS.

Mr. Baldwin,  
Briggs,  
DeLand,  
Green,

Mr. Lacy,  
Jones,  
McDermid,  
Monroe,

Mr. Mulholland,  
Stout,  
Wilder,

11

On motion of Mr. Wilder,

The Senate adjourned till to-morrow morning at 9 o'clock.



*Lansing, Tuesday, March 5, 1861.*

The Senate was called to order at 9 o'clock.

Prayer by Rev. Mr. Vibbert.

Roll called : a quorum present.

PETITIONS PRESENTED.

By Mr. Mulholland : petition of B. F. Southwith, H. Ranch and 49 others, citizens of the county of Monroe, for the repeal of the bounty on salt ;

By Mr. Monroe : petition of C. W. Rogers and 17 others, and of Edward Twiss, Wm. A. Mosley and 77 others, citizens of Branch county, for the same ;

By Mr. Webb : petition of citizens of Sharon and Manchester, Washtenaw county, for the same ;

Which were severally referred to the committee on salt.

By Mr. Lane : memorial of the senior class in the Normal School, for a law creating county superintendents of schools ;

Referred to the committee on public instruction.

REPORTS OF STANDING COMMITTEES.

By the minority of the committee on incorporations :

The undersigned, a minority of the committee on incorporations, to whom was referred

A bill to attach a part of the tenth ward of the city of Detroit to the township of Hamtramck, in the county of Wayne ;

Also,

A bill to change a portion of the boundary line between the city of Detroit and the township of Hamtramck ;

Respectfully report that both bills are to set off a portion of the tenth ward in said city, and attach it to the adjacent township of Hamtramck, and the one is only less objectionable than the other, in that it sets off a less portion of the ward. The undersigned therefore has not deemed it necessary to consider the bills separately.

It is now some years since the territory now to be detached— if either of these bills pass—was attached to the city, and population has been, and still is, spreading in that direction. In the

tract proposed to be set off, are situated the two great cemeteries of the city, the United States Marine Hospital, the City Protestant Orphan Asylum, one of the largest breweries, the largest tannery in the city, and some other large manufacturing establishments, and to place them, or some of them, and especially the cemeteries, in a position to be within the reach of the police laws and regulations of the city, was one of the motives originally which had somewhat to do with its being added to the city. The desire of large property holders, as well as some of the residents, also co-operated in bringing about that result. The advantages of being in connection with the city water works, gas works, and of having the streets under the control of the city government, and the other incidental advantages derived from connection with the city, were then deemed, and still are, by them, as of sufficient importance to have led to the desire to be included and to continue to be included within its limits.

The population of the ward is more than three thousand; there are about 600 voters in the ward; the real estate of the ward, except what is owned by residents in it, is owned mainly by residents of other wards of the city, and especially is the property in the portion proposed to be set off, to a great extent, owned in the city and by residents in other parts than that which these bills are designed to set off. Of all the residents in the part designed to be set off, and of property holders therein, living in other parts of the city, there are but 30 persons who have signed the petitions for the passage of either of the bills under consideration.

During the time this district has been in the city there has been considerable improvements made therein, and at the expense of the treasury of the city, among which are the filling up Jefferson avenue over Bloody Run, so called, and building there a stone culvert at an expense of about four thousand dollars, and another over the same on the Gratiot road and filling up the valley, at an expense of nearly two thousand dollars. There has also been laid down, at considerable expense, in the

district proposed to be set off, one mile and one thousand feet of water pipe.

There has been expended by the city in that part of the ward proposed to be detached—since it has been a part of the city—a considerable amount more than all the city taxes paid by the district. The culverts across Bloody Run are constructed with a view to the system of drainage for that portion of the city, by means of sewers running through Bloody Run valley, as planned by the city authorities.

The progress of city improvement is from the center towards the extremities of the city, and it is believed that this portion has received full more than its fair share, and now when it has been received, and must hereafter continue to receive in a still greater degree the advantages of city improvements, should it find advocates in this Legislature for its right to secede?

The undersigned believes that it would be unjust to the city, and injurious to the interests of all the property holders within that district. It is not asked by any considerable number of them, and certainly does not find favor with many other residents and property holders in the district.

If now set off, in the opinion of the undersigned, the time would not be far off, when petitions would be presented for a re annexation to the city ; in the meantime the progress of city improvements there must cease, and the undersigned cannot but feel that changing the boundaries of the city in this instance would be injudicious, and would be injurious to that portion of the city, and that generally the boundaries of such a city as Detroit should not be enlarged or diminished at the pleasure of one or a few persons who may be pleased to sign such a petition. The charges themselves are productive of uncertainty—are in the way of progress ; and in this instance, if now made, will not be very long permitted to remain.

The undersigned, a minority of the committee, therefore, recommend that the bills do not pass.

H. P. BALDWIN.

The report was laid on the table.

By the committee on incorporations :

The committee on incorporations, to whom was referred

An act to amend certain sections of an act to revise the charter of the city of Ypsilanti, approved Feb. 15, 1859,

Have had the same under consideration, and respectfully report the same back to the Senate, and recommend that it be amended by striking out section 9, conferring peculiar powers on the city marshal; with the section stricken out they recommend that the same do pass. They ask to be discharged from a further consideration of the subject.

JOS. R. WILLIAMS, *Chairman.*

The report was accepted, the committee discharged, the amendments concurred in, and the bill ordered to a third reading.

#### MESSAGES FROM THE OTHER HOUSE.

The President announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, March 4, 1861. }

*To the President of the Senate :*

SIR:—I am instructed by the House to transmit the following bills, entitled

1. A bill changing the name of the township of Newark, in the county of Allegan, to that of Saugatuck;
2. A bill to authorize the Marshall and Ionia Plank Road Company to discontinue a portion of their road, and for other purposes;

Which have passed the House by a majority of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bills read twice, by title, the first named referred to the committee on roads and bridges, and the last, the rule being suspended, ordered to a third reading.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, March 4, 1861. }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following bill, entitled

A bill to amend sections 6138 and 6140, of the compiled laws, being sections 10 and 12, of chapter 201, providing for the employment of prisoners confined in county jails,

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, March 4, 1861. }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following joint resolution, entitled:

Joint resolution appointing Francis A. Artault, emigrant agent in Paris, France;

Which the House has amended by adding thereto the following : " *Provided*, That no expense be incurred by the State on account of such appointment."

In the passage of which, as amended, the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the amendment concurred in, by the following vote :

YEAS.

Mr. Adair,	Mr. Carpenter,	Mr. Hazen,	
Backus,	Coulter,	Lacy,	
Bailey,	French,	Near,	
Baker,	Gale,	Webb,	
Brown,	Galloway,	Wilder,	
Butterfield,	Green,	Withey,	18

NAYS.

0

The joint resolution was ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, March 4, 1861. }

*To the President of the Senate :*

SIR :—I am instructed to return to the Senate the following joint resolution, entitled

Joint resolution appropriating the tolls of the St. Mary's canal to the payment of the amount due counties for taxes assessed on canal lands ;

And to respectfully inform the Senate that the House insists upon its amendment thereto, by inserting after the word "paid," in line 14, the words "without deduction for any cause whatever."

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table.

Mr. Stout moved that the Senate recede from its disagreement with the House;

Which motion prevailed.

The amendment was then concurred in by the following vote:

YEAS.

Mr. Adair,	Mr. Butterfield,	Mr. Monroe,	
Backus,	Coulter,	Near,	
Bailey,	French,	Stout,	
Baker,	Galloway,	Strickland,	
Baldwin,	Green,	Webb,	
Briggs,	Lacy,	Wilder,	
Brown,	McDermid,	Withey,	21

## NAYS.

Mr. Carpenter,  
Gale,

Mr. Lane,  
Mulholland,

Mr. Williams,

5

The joint resolution was ordered to be enrolled.

## MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Gale moved to discharge the committee of the whole from the further consideration of Senate bill No. 112, being

A bill to amend section 26, chapter 101, of the revised statutes of 1846, being section 3064, of the compiled laws, relative to the sale of real estate of deceased persons ;

Which motion prevailed, and the bill was ordered to a third reading.

Mr. Backus introduced the following:

*Whereas*, Great destitution exists among the people of Kansas, on account of the destruction of their crops ;

*And whereas*, The Legislative Assembly of the State of Kansas have urged the importance of Legislative relief from this, and other States ;

*And whereas*, It is impossible, under the Constitution of this State, to introduce any new bill or joint resolution, at this session of the Legislature, for the appropriation of money or other purposes, it is not in the power of this Legislature to grant the desired relief ; therefore

*Resolved*, (the House concurring,) That the Senate and House of Representatives of the State of Michigan earnestly recommend to the people of this State, to take prompt and active steps for raising voluntary contributions for the relief of the suffering people of Kansas, and thus supply, in some measure, their wants and necessities, which, under other circumstances, would have been granted by the Legislature.

The resolution was adopted.

Mr. Williams moved that the memorial of Whitney Jones, relating to the report of the joint investigating committee, be taken from the table and ordered printed in the journal;

Mr. Bailey moved the previous question,

By the committee on incorporations :

The committee on incorporations, to whom was referred

An act to amend certain sections of an act to revise the charter of the city of Ypsilanti, approved Feb. 15, 1859,

Have had the same under consideration, and respectfully report the same back to the Senate, and recommend that it be amended by striking out section 9, conferring peculiar powers on the city marshal; with the section stricken out they recommend that the same do pass. They ask to be discharged from a further consideration of the subject.

JOS. R. WILLIAMS, *Chairman.*

The report was accepted, the committee discharged, the amendments concurred in, and the bill ordered to a third reading.

MESSAGES FROM THE OTHER HOUSE.

The President announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, March 4, 1861.* }

*To the President of the Senate :*

SIR:—I am instructed by the House to transmit the following bills, entitled

1. A bill changing the name of the township of Newark, in the county of Allegan, to that of Saugatuck;

2. A bill to authorize the Marshall and Ionia Plank Road Company to discontinue a portion of their road, and for other purposes;

Which have passed the House by a majority of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bills read twice, by title, the first named referred to the committee on roads and bridges, and the last, the rule being suspended, ordered to a third reading.



The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, March 4, 1861. }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following bill, entitled

A bill to amend sections 6138 and 6140, of the compiled laws, being sections 10 and 12, of chapter 201, providing for the employment of prisoners confined in county jails,

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, March 4, 1861. }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following joint resolution, entitled:

Joint resolution appointing Francis A. Artault, emigrant agent in Paris, France;

Which the House has amended by adding thereto the following : “ *Provided*, That no expense be incurred by the State on account of such appointment.”

In the passage of which, as amended, the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the amendment concurred in, by the following vote :

YEAS.

Mr. Adair,	Mr. Carpenter,	Mr. Hazen,	
Backus,	Coulter,	Lacy,	
Bailey,	French,	Near,	
Baker,	Gale,	Webb,	
Brown,	Galloway,	Wilder,	
Butterfield,	Green,	Withey,	18

NAYS.

0

The joint resolution was ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, March 4, 1861. }

*To the President of the Senate :*

SIR :—I am instructed to return to the Senate the following joint resolution, entitled

Joint resolution appropriating the tolls of the St. Mary's canal to the payment of the amount due counties for taxes assessed on canal lands ;

And to respectfully inform the Senate that the House insists upon its amendment thereto, by inserting after the word "paid," in line 14, the words "without deduction for any cause whatever."

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table.

Mr. Stout moved that the Senate recede from its disagreement with the House;

Which motion prevailed.

The amendment was then concurred in by the following vote:

YEAS.

Mr. Adair,	Mr. Butterfield,	Mr. Monroe,	
Backus,	Coulter,	Near,	
Bailey,	French,	Stout,	
Baker,	Galloway,	Strickland,	
Baldwin,	Green,	Webb,	
Briggs,	Lacy,	Wilder,	
Brown,	McDermid,	Withey,	21

## NAYS.

Mr. Carpenter,  
Gale,

Mr. Lane,  
Mulholland,

Mr. Williams,

5

The joint resolution was ordered to be enrolled.

## MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Gale moved to discharge the committee of the whole from the further consideration of Senate bill No. 112, being

A bill to amend section 26, chapter 101, of the revised statutes of 1846, being section 3064, of the compiled laws, relative to the sale of real estate of deceased persons ;

Which motion prevailed, and the bill was ordered to a third reading.

Mr. Backus introduced the following:

*Whereas*, Great destitution exists among the people of Kansas, on account of the destruction of their crops ;

*And whereas*, The Legislative Assembly of the State of Kansas have urged the importance of Legislative relief from this, and other States ;

*And whereas*, It is impossible, under the Constitution of this State, to introduce any new bill or joint resolution, at this session of the Legislature, for the appropriation of money or other purposes, it is not in the power of this Legislature to grant the desired relief ; therefore

*Resolved*, (the House concurring,) That the Senate and House of Representatives of the State of Michigan earnestly recommend to the people of this State, to take prompt and active steps for raising voluntary contributions for the relief of the suffering people of Kansas, and thus supply, in some measure, their wants and necessities, which, under other circumstances, would have been granted by the Legislature.

The resolution was adopted.

Mr. Williams moved that the memorial of Whitney Jones, relating to the report of the joint investigating committee, be taken from the table and ordered printed in the journal;

Mr. Bailey moved the previous question,

The main question was ordered, and the pending motion did not prevail, the following being the vote thereon:

## YEAS.

Mr. Adair,	Mr. Carpenter,	Mr. Williams,	3
------------	----------------	---------------	---

## NAYS.

Mr. Backus,	Mr. Gale,	Mr. Mulholland,	
Bailey,	Galloway,	Near,	
Baker,	Green,	Owen,	
Briggs,	Hazen,	Stout,	
Brown,	Jones,	Strickland,	
Butterfield,	Lacy,	Tower,	
Coulter,	Lane,	Webb,	
DeLand,	McDermid,	Wilder,	
French,	Monroe,	Withey,	27

Mr. Strickland moved to take from the table and print in the journal that portion of the memorial of Whitney Jones, to which his signature is appended;

Mr. Carpenter moved the previous question.

The main question was ordered, and the pending motion did not prevail, the following being the vote thereon:

## YEAS.

Mr. Butterfield,	Mr. Gale,	Mr. Williams,	5
Carpenter,	Strickland,		

## NAYS.

Mr. Adair,	Mr. French,	Mr. Mulholland,	
Backus,	Galloway,	Near,	
Bailey,	Hazen,	Owen,	
Baker,	Jones,	Stout,	
Briggs,	Lacy,	Tower,	
Brown,	Lane,	Webb,	
Coulter,	McDermid,	Wilder,	
DeLand,	Monroe,	Withey,	24

On motion of Mr. Stout,

The committee of the whole was discharged from the further consideration of Senate bill No. 72, entitled

A bill to amend an act entitled an act to provide for the incorporation of railroad companies, approved Feb. 12th, 1855,

And the bill was laid on the table.

On motion of Mr. Adair,

Senate bill, entitled

A bill to change a portion of the boundary line between the city of Detroit and the township of Hamtramck, in the county of Wayne,

Was taken from the table and ordered to a third reading.

Mr. Lacy moved that House bill No. 37, being

A bill to provide for an additional circuit court commissioner in certain counties,

Be taken from the table and placed on the order of third reading;

Which motion prevailed.

The hour for the special order having arrived,

Mr. Strickland moved that the special order be committed to the committee of the whole;

Which motion did not prevail.

#### SPECIAL ORDER.

The Senate resumed the consideration of Senate bill No. 4, being

A bill to divide the State into six Congressional districts.

The pending question being on the adoption of the substitute, being Senate bill No. 180;

Mr. Wilder moved to amend by striking out "Genesee," in the fourth district, and inserting "Livingston and Sanilac;"

Which motion did not prevail, the following being the vote thereon:

#### YEAS.

Mr. Baldwin,  
Galloway,

Mr. Strickland,  
Tower,

Mr. Wilder,  
Williams, 6

#### NAYS.

Mr. Adair,  
Backus,  
Bailey,  
Baker,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,

Mr. DeLand,  
French,  
Gale,  
Green,  
Hazen,  
Jones,  
Lacy,

Mr. Lane,  
McDermid,  
Near,  
Owen,  
Stout,  
Webb,  
Withey,

Mr. French moved to strike out "Calhoun, in the third district, and insert St. Joseph;"

Which motion did not prevail.

Mr. Withey moved that Missaukee and Kalkaska, be stricken out of the sixth district, and inserted in the fifth district;

Which motion did not prevail.

The question recurring on the adoption of the substitute, the same was adopted, by the following vote :

#### YEAS.

Mr. Adair,	Mr. Carpenter,	Mr. Mulholland,	
Backus,	Coulter,	Owen,	
Bailey,	Gale,	Stout,	
Baker,	Jones,	Tower,	
Baldwin,	Lacy,	Withey,	
Brown,	Monroe,		17

#### NAYS.

Mr. Briggs,	Mr. Green,	Mr. Strickland,	
Butterfield,	Hazen,	Webb,	
DeLand,	Lane,	Wilder,	
French,	McDermid,	Williams,	
Galloway,	Near,		14

Mr. DeLand moved to strike out "Calhoun," in the third district, and add the same to the first district;

Pending which,

On motion of Mr. Withey,

The Senate took a recess till 2 o'clock P. M.

#### AFTERNOON SESSION.

The Senate was called to order at 2 o'clock.

Roll called : a quorum present.

The Senate resumed the consideration of the

#### SPECIAL ORDER.

The pending motion was withdrawn.

Mr. Carpenter moved to amend the 6th line, by striking out Washtenaw and Jackson, and inserting Monroe, Lenawee and Hillsdale;

Mr. Adair moved to amend by striking out Hillsdale;

Which motion did not prevail.

The motion to strike out and insert prevailed.

Mr. Withey moved to amend so that the second district shall be composed of Branch, St. Joseph, Cass, Berrien, Kalamazoo; Van Buren and Allegan;

Mr. Briggs moved to strike out Allegan and insert Barry;

Mr. Monroe called for a division of the question;

The motion to strike out Allegan did not prevail.

Mr. Withey's motion prevailed.

Mr. Stout moved to amend so that the third district shall be composed of the counties of Washtenaw, Jackson, Calhoun, Eaton and Ingham;

Which motion prevailed.

Mr. Withey moved to amend so that the 4th district shall be composed of the counties of Barry, Ionia, Kent, Ottawa, Montcalm, Mecosta and Osceola, Newaygo and Lake, Muskegon, Oceana, Mason, Manistee, Leelanaw and Manitou, Grand Traverse, Cheboygan, Emmet, Mackinaw, Delta, Antrim and Wexford, Missaukee and Kalkaska;

Which motion prevailed.

Mr. Green moved to reconsider the vote by which Allegan was not stricken out of the 2d district;

Which motion prevailed.

The motion to strike out Allegan did not prevail.

Mr. Withey moved that the 5th district be composed of the counties of Livingston, Oakland, Macomb, St. Clair, Lapeer and Sanilac;

Which motion prevailed.

Mr. Withey moved that the 6th district be composed of the counties of Clinton, Shiawassee, Genessee, Gratiot, Saginaw, Tuscola, Huron, Isabella, Midland, Bay, Gladwin, Clare, Missaukee, Roscommon, Ogemaw, Iosco, Alcona, Oscoda, Crawford, Kalkaska, Otsego, Montmorenci, Alpena, Presque Isle, Chippewa, Marquette, Schoolcraft, Houghton and Ontonagon, and the counties hereafter organized out of their present territory;

Which motion prevailed.

On motion of Mr. Carpenter,

The bill was ordered to a third reading.

The order of business was suspended, and the bill was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Backus,	Mr. Gale,	Mr. Owen,	
Bailey,	Galloway,	Stout,	
Baker,	Hazen,	Strickland,	
Baldwin,	Jones,	Tower,	
Brown,	Lacy,	Webb,	
Butterfield,	Lane,	Wilder,	
Carpenter,	McDermid,	Williams,	
DeLand,	Mulholland,	Withey,	
French,	Near,		26

## NAYS.

Mr. Adair,	Mr. Coulter,	Mr. Green,	
Briggs,			4

The title was agreed to.

Mr. Owen moved to reconsider the vote by which Senate bill No. 80 was passed ;

Pending which,

Mr. Carpenter moved a call of the Senate.

The call was sustained, and Senators Baker, Hazen and Monroe reported absent without leave.

The absentees appeared and were admitted to their seats, and all further proceedings under the call were dispensed with.

The motion to reconsider did not prevail, the following being the vote thereon :

## YEAS.

Mr. Backus,	Mr. Galloway,	Mr. Owen,	
Bailey,	Lane,	Stout,	
Brown,	Monroe,	Strickland,	
Gale,	Mulholland,		11

## NAYS.

Mr. Adair,	Mr. DeLand,	Mr. Near,	
Baker,	French,	Tower,	
Baldwin,	Green,	Webb,	
Briggs,	Hazen,	Wilder,	
Butterfield,	Jones,	Williams,	



Carpenter,	Lacy,	Withey,	
Coulter,	McDermid,		20

Mr. Stout moved to take from the table House bill No. 140, the same being a substitute for Senate bill No. 40, entitled

A bill to provide means for the redemption of the bonds of the State, maturing January 1st, 1863;

Which motion prevailed.

On motion of Mr. DeLand,

The order of business was suspended and the substitute was concurred in by the following vote, being a majority of all the Senators elect:

#### YEAS.

Mr. Adair,	Mr. French,	Mr. Near,	
Bailey,	Galloway,	Owen,	
Baldwin,	Jones,	Stout,	
Briggs,	Lacy,	Strickland,	
Carpenter,	Lane,	Webb,	
Coulter,	McDermid,	Withey,	
DeLand,	Mulholland,		20

#### NAYS.

Mr. Backus,	Mr. Gale,	Mr. Tower,	
Baker,	Green,	Wilder,	
Brown,	Hazen,	Williams,	
Butterfield,	Monroe,		11

The bill was ordered to be enrolled.

On motion of Mr. Baldwin,

The Senate took a recess for half an hour.

Mr. Hazen moved that the committee of the whole be discharged from the further consideration of Senate bill No. 88, being

A bill making appropriations of swamp lands to aid in building a road from Capac, in the county of St. Clair, east, to intersect with the Port Huron & Brockway plank road;

Which motion prevailed.

Mr. Hazen moved to amend by inserting after the word "that," in the 4th line of section 1, "one half of;" also, at the end of said section, inserting the words, "the remainder from any unsold State swamp lands;"

Which motion prevailed.

Mr. Hazen also moved to amend by striking out the word "four," in line 3, section 1, and inserting "five;"

Which motion prevailed.

On motion of Mr. Stout,

The words "in the county in which said read is located," in the fourth line of section 5, were stricken out, and the words "as provided in in this act" inserted; also the words "than is appropriated in this act, nor" in line 1, section 6, were stricken out; also the word "more" in the same line was stricken out, and "any" inserted.

Mr. Carpenter moved to lay the bill on the table ;

Which motion did not prevail, the following being the vote thereon :

#### YEAS.

Mr. Baker,  
Brown,  
Carpenter,

Mr. Green,  
Jones,

Mr. Williams,  
Withey,

7

#### NAYS.

Mr. Adair,  
Backus,  
Bailey,  
Baldwin,  
Butterfield,  
Coulter,  
DeLand,  
French,

Mr. Gale,  
Hazen,  
Lacy,  
Lane,  
McDermid,  
Monroe,  
Mulholland,

Mr. Near,  
Owen,  
Stout,  
Strickland,  
Tower,  
Webb,  
Wilder,

22

On motion of Mr. Hazen,

The bill was ordered to a third reading.

#### MESSAGE FROM THE OTHER HOUSE.

The President announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, March 5, 1861. }

*To the President of the Senate :*

Sir:—I am instructed by the House to transmit the following:

*Resolved*, (if the Senate concur,) That in consideration of the long life of public service of our eminent fellow-citizen, Lewis Cass, who has now retired from the scenes of public and politi-

cal strife, and who, in his last public act, has, by refusal of all complicity with disunionists and traitors, merited the warmest thanks of all his countrymen, the Legislature of Michigan, the State he has chosen as his home and final resting-place, do hereby extend to him our hearty welcome, and invite him, if it shall suit his convenience, to visit us before the close of this session, to receive our welcome and our thanks in person.

*Resolved*, That the Governor of this State be requested to transmit a duly certified copy of the foregoing resolution to General Cass, at Detroit, with such letter as he shall deem proper ;

Which has passed the House by a majority vote of all the members elect, in and which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table.

Mr. Baldwin moved that the Senate concur in the resolution.

Mr. Strickland moved to lay the resolution on the table;

Which motion did not prevail, the vote thereon being as follows:

YEAS.

Mr. Backus,  
Bailey,  
Briggs,  
Brown,  
Gale,

Mr. Green,  
Hazen,  
McDermid,  
Near,

Mr. Stout,  
Strickland,  
Webb,  
Withey,

13

NAYS.

Mr. Adair,  
Baker,  
Baldwin,  
Butterfield,  
Carpenter,  
Coulter,

Mr. DeLand,  
French,  
Galloway,  
Jones,  
Lacy,  
Lane,

Mr. Monroe,  
Mulholland,  
Tower,  
Wilder,  
Williams,

17

The resolution was not concurred in, the following being the vote thereon :

The main question was ordered, and the pending motion did not prevail, the following being the vote thereon:

## YEAS.

Mr. Adair,	Mr. Carpenter,	Mr. Williams,	3
------------	----------------	---------------	---

## NAYS.

Mr. Backus,	Mr. Gale,	Mr. Mulholland,	
Bailey,	Galloway,	Near,	
Baker,	Green,	Owen,	
Briggs,	Hazen,	Stout,	
Brown,	Jones,	Strickland,	
Butterfield,	Lacy,	Tower,	
Coulter,	Lane,	Webb,	
DeLand,	McDermid,	Wilder,	
French,	Monroe,	Withey,	27

Mr. Strickland moved to take from the table and print in the journal that portion of the memorial of Whitney Jones, to which his signature is appended;

Mr. Carpenter moved the previous question.

The main question was ordered, and the pending motion did not prevail, the following being the vote thereon:

## YEAS.

Mr. Butterfield,	Mr. Gale,	Mr. Williams,	5
Carpenter,	Strickland,		

## NAYS.

Mr. Adair,	Mr. French,	Mr. Mulholland,	
Backus,	Galloway,	Near,	
Bailey,	Hazen,	Owen,	
Baker,	Jones,	Stout,	
Briggs,	Lacy,	Tower,	
Brown,	Lane,	Webb,	
Coulter,	McDermid,	Wilder,	
DeLand,	Monroe,	Withey,	24

On motion of Mr. Stout,

The committee of the whole was discharged from the further consideration of Senate bill No. 72, entitled

A bill to amend an act entitled an act to provide for the incorporation of railroad companies, approved Feb. 12th, 1855,

And the bill was laid on the table.

On motion of Mr. Adair,

Senate bill, entitled

A bill to change a portion of the boundary line between the city of Detroit and the township of Hamtramck, in the county of Wayne,

Was taken from the table and ordered to a third reading.

Mr. Lacy moved that House bill No. 37, being

A bill to provide for an additional circuit court commissioner in certain counties,

Be taken from the table and placed on the order of third reading;

Which motion prevailed.

The hour for the special order having arrived,

Mr. Strickland moved that the special order be committed to the committee of the whole;

Which motion did not prevail.

#### SPECIAL ORDER.

The Senate resumed the consideration of Senate bill No. 4, being

A bill to divide the State into six Congressional districts.

The pending question being on the adoption of the substitute, being Senate bill No. 180;

Mr. Wilder moved to amend by striking out "Genesee," in the fourth district, and inserting "Livingston and Sanilac;"

Which motion did not prevail, the following being the vote thereon :

#### YEAS.

Mr. Baldwin,  
Galloway,

Mr. Strickland,  
Tower,

Mr. Wilder,  
Williams, 6

#### NAYS.

Mr. Adair,  
Backus,  
Bailey,  
Baker,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,

Mr. DeLand,  
French,  
Gale,  
Green,  
Hazen,  
Jones,  
Lacy,

Mr. Lane,  
McDermid,  
Near,  
Owen,  
Stout,  
Webb,  
Withey,

Mr. French moved to strike out "Calhoun, in the third district, and insert St. Joseph;"

Which motion did not prevail.

Mr. Withey moved that Missaukee and Kalkaska, be stricken out of the sixth district, and inserted in the fifth district;

Which motion did not prevail.

The question recurring on the adoption of the substitute, the same was adopted, by the following vote :

#### YEAS.

Mr. Adair,	Mr. Carpenter,	Mr. Mulholland,
Backus,	Coulter,	Owen,
Bailey,	Gale,	Stout,
Baker,	Jones,	Tower,
Baldwin,	Lacy,	Withey,
Brown,	Monroe,	

17

#### NAYS.

Mr. Briggs,	Mr. Green,	Mr. Strickland,
Butterfield,	Hazen,	Webb,
DeLand,	Lane,	Wilder,
French,	McDermid,	Williams,
Galloway,	Near,	

14

Mr. DeLand moved to strike out "Calhoun," in the third district, and add the same to the first district;

Pending which,

On motion of Mr. Withey,

The Senate took a recess till 2 o'clock P. M.

#### AFTERNOON SESSION.

The Senate was called to order at 2 o'clock.

Roll called : a quorum present.

The Senate resumed the consideration of the

#### SPECIAL ORDER.

The pending motion was withdrawn.

Mr. Carpenter moved to amend the 6th line, by striking out Washtenaw and Jackson, and inserting Monroe, Lenawee and Hillsdale;

Mr. Adair moved to amend by striking out Hillsdale;

Which motion did not prevail.

The motion to strike out and insert prevailed.

Mr. Withey moved to amend so that the second district shall be composed of Branch, St. Joseph, Cass, Berrien, Kalamazoo; Van Buren and Allegan;

Mr. Briggs moved to strike out Allegan and insert Barry;

Mr. Monroe called for a division of the question;

The motion to strike out Allegan did not prevail.

Mr. Withey's motion prevailed.

Mr. Stout moved to amend so that the third district shall be composed of the counties of Washtenaw, Jackson, Calhoun, Eaton and Ingham;

Which motion prevailed.

Mr. Withey moved to amend so that the 4th district shall be composed of the counties of Barry, Ionia, Kent, Ottawa, Montcalm, Mecosta and Osceola, Newaygo and Lake, Muskegon, Oceana, Mason, Manistee, Leelanaw and Manitou, Grand Traverse, Cheboygan, Emmet, Mackinaw, Delta, Antrim and Wexford, Missaukee and Kalkaska;

Which motion prevailed.

Mr. Green moved to reconsider the vote by which Allegan was not stricken out of the 2d district;

Which motion prevailed.

The motion to strike out Allegan did not prevail.

Mr. Withey moved that the 5th district be composed of the counties of Livingston, Oakland, Macomb, St. Clair, Lapeer and Sanilac;

Which motion prevailed.

Mr. Withey moved that the 6th district be composed of the counties of Clinton, Shiawassee, Genessee, Gratiot, Saginaw, Tuscola, Huron, Isabella, Midland, Bay, Gladwin, Clare, Missaukee, Roscommon, Ogemaw, Iosco, Alcona, Oscoda, Crawford, Kalkaska, Otsego, Montmorenci, Alpena, Presque Isle, Chippewa, Marquette, Schoolcraft, Houghton and Ontonagon, and the counties hereafter organized out of their present territory;

Which motion prevailed.

On motion of Mr. Carpenter,

The bill was ordered to a third reading.

The order of business was suspended, and the bill was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Backus,	Mr. Gale,	Mr. Owen,
Bailey,	Galloway,	Stout,
Baker,	Hazen,	Strickland,
Baldwin,	Jones,	Tower,
Brown,	Lacy,	Webb,
Butterfield,	Lane,	Wilder,
Carpenter,	McDermid,	Williams,
DeLand,	Mulholland,	Withey,
French,	Near,	

26

## NAYS.

Mr. Adair,	Mr. Coulter,	Mr. Green,
Briggs,		

4

The title was agreed to.

Mr. Owen moved to reconsider the vote by which Senate bill No. 80 was passed ;

Pending which,

Mr. Carpenter moved a call of the Senate.

The call was sustained, and Senators Baker, Hazen and Monroe reported absent without leave.

The absentees appeared and were admitted to their seats, and all further proceedings under the call were dispensed with.

The motion to reconsider did not prevail, the following being the vote thereon :

## YEAS.

Mr. Backus,	Mr. Galloway,	Mr. Owen,
Bailey,	Lane,	Stout,
Brown,	Monroe,	Strickland,
Gale,	Mulholland,	

11

## NAYS.

Mr. Adair,	Mr. DeLand,	Mr. Near,
Baker,	French,	Tower,
Baldwin,	Green,	Webb,
Briggs,	Hazen,	Wilder,
Butterfield,	Jones,	Williams,



Carpenter,	Lacy,	Withey,	
Coulter,	McDermid,		20

Mr. Stout moved to take from the table House bill No. 140, the same being a substitute for Senate bill No. 40, entitled

A bill to provide means for the redemption of the bonds of the State, maturing January 1st, 1863;

Which motion prevailed.

On motion of Mr. DeLand,

The order of business was suspended and the substitute was concurred in by the following vote, being a majority of all the Senators elect:

#### YEAS.

Mr. Adair,	Mr. French,	Mr. Near,	
Bailey,	Galloway,	Owen,	
Baldwin,	Jones,	Stout,	
Briggs,	Lacy,	Strickland,	
Carpenter,	Lane,	Webb,	
Coulter,	McDermid,	Withey,	
DeLand,	Mulholland,		20

#### NAYS.

Mr. Backus,	Mr. Gale,	Mr. Tower,	
Baker,	Green,	Wilder,	
Brown,	Hazen,	Williams,	
Butterfield,	Monroe,		11

The bill was ordered to be enrolled.

On motion of Mr. Baldwin,

The Senate took a recess for half an hour.

Mr. Hazen moved that the committee of the whole be discharged from the further consideration of Senate bill No. 83, being

A bill making appropriations of swamp lands to aid in building a road from Capac, in the county of St. Clair, east, to intersect with the Port Huron & Brockway plank road;

Which motion prevailed.

Mr. Hazen moved to amend by inserting after the word "that," in the 4th line of section 1, "one half of;" also, at the end of said section, inserting the words, "the remainder from any unsold State swamp lands;"

A bill to amend chapter 23 of the compiled laws, relative to obstructions and encroachments of highways,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. McDermid,	
Backus,	French,	Near,	
Bailey,	Galloway,	Stout,	
Baldwin,	Green,	Strickland,	
Briggs,	Hazen,	Tower,	
Brown,	Jones,	Wilder,	
Butterfield,	Lacy,	Withey,	
Coulter,	Lane,		23

## NAYS.

Mr. Baker,	Mr. Gale,	Mr. Mulholland,	
Carpenter,	Monroe,		5

The title was agreed to.

House bill No. 106, entitled

A bill to amend section 133, of chapter 117, of the compiled laws,

Was read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. Carpenter,	Mr. Lane,	
Backus,	French,	McDermid,	
Baker,	Gale,	Near,	
Briggs,	Hazen,	Wilder,	
Brown,	Lacy,	Williams,	15

## NAYS.

Mr. Bailey,	Mr. Galloway,	Mr. Owen,	
Baldwin,	Green,	Stout,	
Butterfield,	Jones,	Strickland,	
Coulter,	Monroe,	Tower,	
DeLand,	Mulholland,	Withey,	15

House bill No. 91, entitled

A bill to amend an act entitled an act for the encouragement of agriculture, manufacture and the mechanic arts, approved March 16, 1849, and the act amendatory thereto, approved February 6, 1855,

Was read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows :

## NAYS.

Mr. Adair,	Mr. Jones,	Mr. Near,	
Baker,	McDermid,	Stout,	
Carpenter,	Monroe,	Wilder,	
Coulter,	Mulholland,	Williams,	
Hazen,			18

## YEAS.

Mr. Backus,	Mr. French,	Mr. Owen,	
Bailey,	Gale,	Strickland,	
Briggs,	Galloway,	Tower,	
Brown,	Lacy,	Withey,	
DeLand,	Lane,		14

Mr. Baker moved that the last vote be reconsidered;

Mr. Strickland moved that the motion be laid on the table;

Which motion prevailed.

Senate bill, entitled

A bill to repeal section 3 of an act entitled an act relative to plank road companies, approved February 12, 1855, compiled laws, page 1934,

Came up for third reading, and was laid on the table.

Mr. Near, with consent, moved that House bill, entitled

A bill to organize the Wayne county poor farm into a school district, and appropriate public moneys to the education of poor children,

Be taken from the table.

Mr. Near, with consent, moved to amend by striking out the words "to be known as district number," and inserting "to be numbered by the school inspectors for the township of Nankin;"

Which motion prevailed.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Mulholland,
Backus,	French,	Near,
Bailey,	Gale,	Owen,
Baldwin,	Hazen,	Stout,
Briggs,	Jones,	Strickland,

Brown,  
Butterfield,  
Carpenter,  
Coulter,

Lacy,  
Lane,  
McDermid,  
Monroe,

Tower,  
Wilder,  
Williams,  
Withey,

27

NAYS.

0

The title was agreed to.

House bill, entitled

A bill to provide for the support and maintenance of the Michigan mining school,

Came up for a third reading, and was laid on the table.

Senate bill, entitled

A bill to authorize the supervisors of the several towns in the Upper Peninsula to assess and collect the State tax upon all mining companies' real estate or other property, not actually engaged in mining ;

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,  
Coulter,

Mr. DeLand,  
French,  
Gale,  
Galloway,  
Green,  
Hazen,  
Jones,  
Lacy,  
Lane,  
McDermid,

Mr. Monroe,  
Mulholland,  
Near,  
Owen,  
Stout,  
Strickland,  
Tower,  
Wilder,  
Williams,  
Withey,

30

NAYS.

0

The title was agreed to.

Senate bill No. 116, being

A bill to amend an act entitled an act to provide for the draining of swamps, marshes and other low lands, approved Feb. 17, 1857,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

YEAS.

Mr. Adair,  
Backus,

Mr. Coulter,  
DeLand,

Mr. McDermid,  
Monroe,

Bailey,	French,	Mulholland,
Baker,	Gale,	Near,
Baldwin,	Galloway,	Owen,
Briggs,	Green,	Tower,
Brown,	Hazen,	Wilder,
Butterfield,	Jones,	Williams,
Carpenter,	Lacy,	Withey,

27

## NAYS.

Mr. Lane, 1

The title was agreed to, and the bill ordered to take immediate effect, by a vote of two-thirds of all of said Senators.

Senate bill No. 83, being

A bill appropriating certain swamp lands for opening and improving a road from Capac, in the county of St. Clair, running east to intersect with the Brockway and Port Huron plank road in said county,

Came up for a third reading.

Mr. Carpenter moved to lay the bill on the table;

Which motion did not prevail, the following being the vote thereon :

## YEAS.

Mr. Adair,	Mr. Carpenter,	Mr. Strickland,
Backus,	Monroe,	Williams,
Baker,	Mulholland,	Withey,
Butterfield,	Near,	

11

## NAYS.

Mr. Bailey,	Mr. Galloway,	Mr. McDermid,
Baldwin,	Green,	Owen,
Brown,	Hazen,	Stout,
Coulter,	Jones,	Tower,
DeLand,	Lacy,	Webb,
French,	Lane,	Wilder,
Gale,		

19

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. Gale,	Mr. Near,
Backus,	Galloway,	Owen,
Baker,	Green,	Stout,
Baldwin,	Hazen,	Strickland,

Brown,  
Butterfield,  
Coulter,  
DeLand,  
French,

Jones,  
Lacy,  
Lane,  
McDermid,  
Mulholland,

Tower,  
Webb,  
Wilder,  
Withey,

26

## NAYS.

Mr. Baker,  
Carpenter,

Mr. Monree,

Mr. Williams,

4

The title was agreed to.

Senate bill, entitled

A bill granting to the Grand River Valley Railroad Company the right of way across certain State lands, and extending the time for the construction of the same,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Backus,  
Bailey,  
Brown,  
Butterfield,  
Carpenter,  
DeLand,  
French,  
Gale,

Mr. Galloway,  
Green,  
Hazen,  
Jones,  
Lacy,  
Lane,  
McDermid,

Mr. Monroe,  
Mulholland,  
Near,  
Owen,  
Tower,  
Williams,  
Withey,

23

## NAYS.

Mr. Adair,  
Baker,

Mr. Baldwin,

Mr. Stout,

4

The title was agreed to.

The Senate then adjourned.

---

*Lansing, Wednesday, March 6, 1861.*

The Senate was called to order at 9 o'clock.

Prayer by Rev. Mr. Potter.

Roll called : a quorum present.

. PETITIONS PRESENTED.

By Mr. McDermid: petition of M. Strong and 50 others, praying for a repeal of the bounty on the manufacture of salt;

By Mr. Owen: petition of Jefferson K. Tindell, Nerton Park and 50 others, for the same;

By Mr. Hazen: petition of D. E. Hazen, W. A. McEntee and 50 others, for the same;

By Mr. Near: three petitions from the county of Wayne, signed by 104 citizens of said county, for the same;

Which several petitions were referred to the committee on salt.

#### REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary :

The committee on the judiciary, to whom was referred Senate bill No. 91, being

A bill more effectually to secure the lein of mechanics and other laborers,

Have had the same under consideration, and would report the same back to the Senate with an amendment, and as so amended recommend the bill do pass, and ask to be discharged from the further consideration thereof.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the judiciary committee :

The committee on the judiciary, to whom was referred House bill No. 146, being

A bill to amend chapter 150 of the revised statutes of 1846, being chapter 175 of the compiled laws ;

Have had the same under consideration, and would respectfully report the same back to the Senate, with the recommendation that it do pass, and ask to be discharged.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the judiciary committee:

The committee on the judiciary, to whom was referred House bill No. 147, being

A bill to provide for the manner of equalizing the assessment roll of the board of supervisors of the county of Wayne,

Have had the same under consideration, and would respectfully report, that the practical working of the provisions of the proposed law will be to divide the board of supervisors of that county into two boards, so far as regards their powers in the detailed equalization of the several tax rolls of the county, for this purpose, constituting the supervisors of the several towns one board, and the supervisors of the city another board, each acting exclusive of the other, and of both united in the relative equalization of the respective rolls among the several towns and wards. Under the proposed arrangement, the united board can only interfere with the aggregate assessments of the towns and wards, by increasing or diminishing the same without the capacity, in any instance, however much called for, to correct any inequality or actual injustice in any individual town or ward, which is the fixed policy of the present law.

Long usage, as well as the present law, seem to have contemplated as the most judicious and convenient method of managing the fiscal and financial measures necessary to taxation, the division of the State into counties, and your committee can discover no good reason why in any case this rule should be departed from; if counties are too large or become too populous, they should be divided, and not divide the duties, in the results of which all are equally interested as the basis of revenue. If it is expedient and wise to divide the board for the purpose of equalization, it would, upon the same principle, be equally so in those counties where the board of supervisors audit and allow claims, in like manner to divide the board and confine the action of the parts to claims arising within their several districts, and so on in relation to all the duties of the board until the board would only be known as a powerless institution.

In the arrangement contemplated by the proposed law, however specious it may seem at first sight, as a principle, it is at variance with the whole economy of the residue of the State



on the subject embraced in its provisions, and, as your committee are of opinion, can be productive of no good, corresponding to the danger of the precedent involved in an attempt to put such a system in practice. The friends of this bill urge its claims with so much earnestness, that, against their own convictions of expediency, your committee have concluded to and do herewith report the same back to the Senate, but without any recommendations, and ask to be discharged from the further consideration of the same.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on public lands :

The committee on public lands, to whom was referred

A bill making appropriation of swamp lands for the construction of a road in Saginaw county,

Respectfully report that they have had the same under consideration, and report the same back to the Senate without amendment, and recommend that it do pass.

EZRA HAZEN, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on public lands :

The committee on public lands, to whom was referred

A bill making appropriation of swamp lands for the relief of James Maycroft,

Respectfully report that they have had the same under consideration, and report the same back to the Senate without amendment, and recommend its passage.

EZRA HAZEN, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on public lands:

The committee on public lands, to whom was referred

• A bill to appropriate the proceeds of certain lands to the reclamation of certain swamps and marshes in the county of Jackson,

Respectfully report that they have had the same under consideration, and report the same to the Senate without amendment, and recommend its passage.

EZRA HAZEN, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on agriculture :

The committee on agriculture, to whom was referred House bill, entitled

A bill to authorize the Jackson county agricultural society to borrow money and mortgage certain real estate to secure the payment of the same,

Have had the same under consideration, and instruct me respectfully to report the said bill back to the Senate without amendment, recommend its passage, and ask to be discharged from the further consideration of the subject.

All of which is respectfully submitted.

I. H. BUTTERFIELD, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on internal improvements :

The committee on internal improvements, to whom was referred

A bill to lay out and establish a State road in the county of Van Buren,

Have had the same under consideration, and instructed me to report the same back to the Senate, and recommend that it do not pass, and your committee ask to be discharged from the further consideration of the subject.

J. CARPENTER, *Chairman.*

• The report was accepted, the committee discharged, and the bill laid on the table.

By the committee on public lands :

The committee on public lands, to whom was referred

A bill to lay out a State road from Pewamo, in the county of Ionia, by the way of Matherton, to the center of Isabella county, and making appropriations of swamp lands for the same,

Respectfully report the same back to the Senate, without amendment, and recommend its passage, and ask to be discharged from the further consideration of the same.

EZRA HAZEN, *Chairman.*

The report was accepted, the committee discharged, and the bill laid on the table and ordered printed.

By the committee on incorporations :

The committee on incorporations, to whom was referred House bill, being

A bill to reduce the capital stock of the president, directors and company of the Peninsular bank,

Have had the same under consideration. They recommend that the title to said bill be amended so as to comprehend the whole object of it, so as to read as follows :

A bill to reduce the capital stock of the president, directors and company of the Peninsular bank, and to amend an act to incorporate the president, directors and company of the Peninsular bank, approved March 28, 1849.

They also recommend that the same be amended as follows :

After the word "incorporation," line 1, section 3, by inserting the words, "act No. 185, session laws of 1849," and in third line, section 3, before the word "said," insert the words "section 4." With these amendments, the committee respectfully report the same back to the Senate, with a recommendation that the same do pass, and ask to be discharged from the further consideration of the same.

JOS. R. WILLIAMS, *Chairman.*

The report was accepted, the committee discharged, the amendments concurred in, and the bill ordered to a third reading.

By the committee on enrolled bills :

The committee on enrolled bills, to whom was referred

Joint resolution authorizing the State Treasurer to charge certain items to suspense account ;

Also,

A bill relating to deposit accounts, and to interest, exchange and commissions, received or paid by the State Treasurer ;

Also,

A bill to discontinue a portion of the Allegan and Lansing State road ;

Also,

A bill compelling mining companies in this State to file with the county treasurer of the county in which they are doing business, a list of their stockholders, and the amount of the indebtedness of the company ;

Would respectfully report that they have examined said bills, and herewith return them to the Senate, correctly enrolled.

H. C. BRIGGS, *Chairman.*

The report was accepted, the committee discharged, and the bills were signed and presented to the Governor.

By the committee on incorporations:

The committee on incorporations, to whom was referred House bill, entitled

A bill to authorize the formation of gymnastic associations,

Have had the same under consideration, and respectfully report the same back to the Senate without any recommendation whatever, and ask to be discharged from a further consideration of the same.

J. R. WILLIAMS, *Chairman.*

The report was accepted, the committee discharged, and the bill laid on the table.

#### MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 6, 1861. }

SIR:—I am instructed by the House to transmit the following bills :

1. A bill to incorporate the village of Muskegon ;

2. A bill to incorporate the village of Lowell ;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, has been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bills read twice and referred to the committee on incorporations.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 6, 1861. }

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following:

1. A bill to provide for the draining of swamps, marshes and other low lands;

2. A bill to incorporate the village of Decatur;

Which have passed the House by a majority of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bills read twice, by title, the first named referred to the committee on internal improvement, and the last to the committee on incorporations.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, March 6, 1861. }

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following bills :

1. House bill No. 10, entitled

A bill to amend section 1 of an act entitled an act to amend chapter 150, of the revised statutes of 1846, it being chapter

175 of the compiled laws, and to authorize the salaries of judges of probate;

2. House bill No. 115, entitled

A bill in relation to assignments, and to compel assignees to give security;

3. House bill No. 116, entitled

A bill to amend sections 3 to 11 inclusive, of chapter 100, of the revised statutes of 1846, sections 4188 to 4196 inclusive, of the compiled laws, relative to referees;

Which have passed the House by a majority vote of all the members elect, in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table and the bills were read twice by title, the first referred to the committee on State affairs, and the two last named to the committee on the judiciary.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, March 6, 1861.* }

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following bills:

1. House bill No. 169, entitled

A bill to amend an act entitled an act to incorporate the city of Lansing, approved February 15, 1859;

2. House bill No. 157, entitled

A bill to establish a State road from Fulkerson's, in Kent county, to White River, in the county of Oceana;

3. House bill No. 109, entitled

A bill making the action of trespass transitory in certain cases;

4. House bill, entitled

A bill to prevent the adulteration of coal oils;

5. House bill No. 103, entitled

A bill authorizing the Auditor General to issue second tax deeds in certain cases;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the several bills read twice, by title, and referred as follows: the first named to the committee on incorporations, the second to the committee on roads and bridges, the third and fifth to the committee on the judiciary, and the fourth to the committee on incorporations.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. French moved to take from the table House bill No. 100, being

A bill to relieve observers of the seventh day of the week from the necessity of defending suits in violation of their consciences,

And place the same on the order of third reading;

Which motion prevailed.

Mr. Coulter moved that House bill, entitled

A bill for the support and maintenance of the Houghton Mining School,

Be taken from the table and ordered to a third reading;

Which motion prevailed.

On motion of Mr. Near,

A bill to organize the Wayne county farm into a school district, and appropriate moneys to the education of poor children,

Was ordered to take immediate effect.

On motion of Mr. Brown,

The bill making appropriation for the Michigan Asylum for the insane,

Was taken from the table.

Mr. Brown offered a substitute for the bill.

Mr. Carpenter moved to amend by striking out "twenty-five," and inserting "forty;"

Which motion did not prevail, the following being the vote thereon :

## YEAS.

Mr. Adair,	Mr. Carpenter,	Mr. Lane,	
Backus,	Coulter,	Tower,	
Briggs,	French,	Wilder,	
Brown,	Gale,	Williams,	
Butterfield,	Green,	Withey,	15

## NAYS.

Mr. Bailey,	Mr. Ingersoll,	Mr. Mulholland,	
Baldwin,	Jones,	Near,	
DeLand,	Lacy,	Owen,	
Galloway,	McDermid,	Stout,	
Hazen,	Monroe,	Strickland,	15

The substitute was adopted, by the following vote :

## YEAS.

Mr. Adair,	Mr. Green,	Mr. Owen,	
Backus,	Hazen,	Strickland,	
Briggs,	Ingersoll,	Tower,	
Brown,	Lane,	Webb,	
Butterfield,	McDermid,	Wilder,	
Carpenter,	Monroe,	Williams,	
Coulter,	Mulholland,	Withey,	
Gale,	Near,		23

## NAYS.

Mr. Bailey,	Mr. DeLand,	Mr. Jones,	
Baker,	French,	Lacy,	
Baldwin,	Galloway,	Stout,	9

On motion of Mr. Brown,

The order of business was suspended, and the bill was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. Green,	Mr. Owen,
Backus,	Hazen,	Strickland,
Briggs,	Ingersoll,	Tower,
Brown,	Lane,	Webb,
Butterfield,	McDermid,	Wilder,
Carpenter,	Monroe,	Williams,



Coulter,  
Gale,

Mulholland,  
Near,

Withey,

23

# NAYS.

Mr. Baker,  
Baldwin,  
DeLand,

Mr. French,  
Galloway,  
Jones,

Mr. Lacy,  
Stout,

8

The title was agreed to.

Mr. Coulter moved that the committee of the whole be discharged from the further consideration of Senate bill No. 82, being

A bill to amend an act entitled an act to provide for the drainage and reclamation of swamp lands by means of State roads and ditches, approved February 12, 1859, by adding thereto sections 13, 14, 15, 16, 17, and 18 ;

Which motion prevailed.

Mr. Stout moved to strike out in the third line of section 15, "twelve hundred and eighty," and insert "six hundred and forty;"

Which motion prevailed.

Mr. DeLand moved to strike out the words "money hereafter to accrue from the sale of," in the 20th line of second page;

Which motion prevailed.

Mr. Stout moved to strike out the words "twelve hundred and eighty," in the 21st and 22d lines of page two, and insert "six hundred and forty;"

Mr. Owen moved to reconsider the votes by which "twelve hundred and eighty" was stricken out, and "six hundred and forty;"

Which motion prevailed.

The motion to strike out and insert did not prevail.

Mr. Hazen moved to insert at the end of section 14, the words "said lands to be selected exclusively in the Upper Peninsula;"

Which motion prevailed

Mr. French moved to strike out of line 2, section 15, the words "may," "elect to," "in lieu in money in," and "case such election," and insert "shall," in lieu of "may;"

Which motion prevailed.

Mr. Coulter moved to strike out, in line 6, section 18, the words "under the order;" also, strike out of line 8 the word "two;" also, strike out of line 1, section 20, the word "section," and insert "paragraph;"

Which motion prevailed.

Mr. Coulter moved to insert the following, to stand as section 1 of the bill:

Sec. 1. *The people of the State of Michigan enact*, That an act to provide for the drainage and reclamation of swamp lands by means of State roads and ditches, approved Feb. 12, 1859, be and the same is hereby amended, and the new sections, added to said act, numbered sections 13, 14, 15, 16, 17, 18, 19, 20 and 21, so as to read as follows;"

Which motion prevailed.

Mr. Coulter also moved to amend the title by adding thereto the words "nineteen, twenty and twenty-one;"

Which motion prevailed.

Mr. Williams moved to strike out all after the enacting clause; Pending which,

On motion of Mr Wilder,

The bill was recommitted to the committee on public lands.

The Senate took a recess till 2 o'clock P. M.

---

AFTERNOON SESSION.

The Senate was called to order at 2 o'clock.

Roll called: all the Senators present.

Mr. Backus asked and obtained leave to make the following reports:

By the judiciary committee:

The committee on the judiciary, to whom was referred House bill No. 103, being

A bill authorizing the Auditor General to issue second tax deeds in certain cases,

Have had the same under consideration, and would respect-

fully report the same back to the Senate, with the recommendation that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee :

The committee on the judiciary, to whom was referred House bill No. 109, being

A bill making the action of trespass transitory in certain cases,

Have had the same under consideration, and would respectfully report the same back to the Senate, with the recommendation that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

Mr. Owen moved that the committee of the whole be discharged from the further consideration of Senate bill No. 123, being

A bill for the collection of damages sustained by defective bridges on the public highways;

Which motion prevailed.

On motion of Mr. Owen,

Sundry amendments were made, and the bill was ordered to a third reading.

Mr. Stout moved that the committee of the whole be discharged from the further consideration of Senate bill No. 127, entitled

A bill to amend act No. 187, of the session laws of 1859;

Which motion prevailed, and the bill was ordered to a third reading.

Mr. DeLand moved that the committee of the whole be discharged from the further consideration of Senate bill No. 128, being

A bill to regulate the manner of attaching unorganized territory to organized counties for judicial and municipal purposes;

On motion of Mr. DeLand,

Sundry amendments were made, and the bill was ordered to a third reading.

Mr. Williams, by unanimous consent, made the following report:

The committee on incorporations, to whom was referred House bill, entitled

A bill to amend an act entitled an act to incorporate the city of Lansing, approved February 15th, 1859,

Have had the same under consideration. They advise an amendment of section 258, by inserting after the word "election," in the fourth line, the words "and a board of registration." They respectfully report the same back to the Senate, with a recommendation that the same do pass, with the amendment proposed. They ask to be discharged from the further consideration of the same.

JOS. R. WILLIAMS, *Chairman*.

The report was accepted, the committee discharged, and the amendments concurred in, and,

On motion of Mr. Strickland,

The order of business was suspended, and the bill was read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows:

#### YEAS.

Mr. Backus,	Mr. Gale,	Mr. Strickland,	
Bailey,	Hazen,	Tower,	
Brown,	Lane,	Webb,	
Butterfield,	McDermid,	Williams,	
DeLand,	Near,	Withey,	15

#### NAYS.

Mr. Adair,	Mr. Coulter,	Mr. Mulholland,	
Baker,	Galloway,	Stout,	
Briggs,	Green,	Wilder,	
Carpenter,	Lacy,		11

Mr. Strickland moved to reconsider the vote by which the bill was not passed ;

Mr. Baker moved to lay the motion on the table ;

Which motion did not prevail.

The motion to reconsider then prevailed.

Mr. Carpenter moved to recommit the bill to the committee on incorporations, with instructions to strike out all pertaining to an additional supervisor ;

Which motion did not prevail.

The bill was then read a third time and passed, two-thirds of all the Senators elect voting therefor, as follows :

#### YEAS.

Mr. Backus,	Mr. Green,	Mr. Monroe,
Bailey,	Hazen,	Near,
Baldwin,	Ingersoll,	Strickland,
Brown,	Jones,	Tower,
Butterfield,	Lacy,	Webb,
DeLand,	Lane,	Williams,
French,	McDermid,	Withey,
Gale,		

22

#### NAYS.

Mr. Adair,	Mr. Carpenter,	Mr. Mulholland,
Baker,	Coulter,	Wilder,
Briggs,	Galloway,	

8

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

Mr. Galloway moved to amend the title of the bill authorizing the taxing of mining companies in the Upper Peninsula, by striking out all after the word "property;"

Which motion prevailed.

Mr. Baldwin moved to discharge the committee of the whole from the further consideration of Senate bill No. 84, being

A bill to provide a tax for the expenses of the State government, and for a sinking fund ;

Which motion prevailed.

Mr. Baldwin moved to strike out of the first section, all after the words, "provided for," in the sixth line ;

Which motion prevailed.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,  
Coulter,

Mr. DeLand,  
French,  
Galloway,  
Jones,  
Lacy,  
Lane,  
McDermid,  
Monroe,  
Mulholland,

Mr. Near,  
Stout,  
Strickland,  
Tower,  
Webb,  
Wilder,  
Williams,  
Withey,

26

## NAYS.

Mr. Baker,

Mr. Gale,

Mr. Green,

3

On motion of Mr. Baldwin,

The title was amended by striking out the words, "and for a sinking fund," and, as thus amended, agreed to.

The President, with unanimous consent, announced the following

## MESSAGE FROM THE GOVERNOR :

EXECUTIVE OFFICE, }  
*Lansing, March 5, 1861.* }

*To the Senate :*

I herewith transmit a communication from the Treasury Department, at Washington, asking a cession of jurisdiction over the territory required for the erection of certain light-houses. The early erection of these structures is greatly to be desired, and I recommend the Legislature to comply with the request before the close of the present session.

AUSTIN BLAIR.

TREASURY DEPARTMENT, OFFICE L. H. BOARD, }  
*February 27, 1861.* }

*To His Excellency, AUSTIN BLAIR, Governor of the State of Michigan, Lansing, Mich :*

SIR:—I have the honor to state that at the 2nd session of the 35th Congress, and at the 1st session of the 36th Congress, the following light-houses in the State of Michigan, were authorized to be erected, viz :

"For a light-house on the north point of the Peninsula dividing Grand Traverse Bay ;"

"For a light-house on the east side of Middle Island Harbor, West Marquette ;"

"For a light-house at Bertraw Bay ;"

"For a light-house at or near Tawas City ;"

"For a light-house at the mouth of Manistee river ;"

"For one or more beacon-lights, at the discretion of the Secretary of the Treasury, at the entrance of Grand Island Bay and Harbor, Lake Superior ;"

"For a range of lights for Copper Harbor, Lake Superior ;"

"For a light-house at or near Old Fort Mackinaw."

The acts of Congress making the foregoing appropriations, make it the duty of the Government to obtain, prior to the erection of these structures, cessions of jurisdiction from the State in which they are located, and as the Legislature of Michigan is now in session, I would respectfully request that the necessary acts may be obtained for sites, not exceeding ten acres, at any one locality.

Very Respectfully,

Your Ob't Servant,

THORNTON N. JENKINS,

*Secretary.*

The message and accompanying communication were laid on the table.

On motion of Mr. Withey,

They were referred to the committee on State affairs, with instruction to report a joint resolution in accordance with the recommendation of the Governor.

The President, with consent, announced the following:

MESSAGE FROM THE OTHER HOUSE.

HOUSE OF REPRESENTATIVES, }  
Lansing, March 6, 1861. }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following bill:

Senate bill No. 79, entitled

A bill to reorganize the Agricultural College of the State of Michigan, and to establish a State board of agriculture,

Which the House has amended, as follows:

1. Insert in section 1, line 9, after the word "is," the word "legally."

2. Insert after the word "other," in section 1, line 10, the words "legally organized."

3. In same line strike out the word "nominating," and insert the words "right to nominate."

4. In same line strike out the word "suitable."

5. Strike out of section 7 all after the word "agricultural," and insert in lieu thereof the word "college."

6. Insert in line 1, section 12, after the word "annum," the words "for the years 1861 and 1862."

7. Strike out in line 2 the word "annually."

8. Insert after the word "agriculture," the words "is also hereby annually appropriated."

9. Strike out in line 2, section 39, "George W. Germain, of Ionia county," and insert "Silas A. Yerkes, of Kent county."

10. Insert after the word "meeting," in line 4, section 39, the words "which the Governor of the State is hereby authorized and directed to call at as early a day as practicable."

In the passage of which, as thus amended, the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table.

Mr. Strickland moved that the Senate concur in the first, second, third, fourth, fifth, sixth, seventh, eighth and tenth amendments of the House;

Which motion prevailed by the following vote, being a majority of all the Senators elect:



## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Monroe,
Backus,	French,	Near,
Bailey,	Gale,	Owen,
Baker,	Galloway,	Strickland,
Baldwin,	Green,	Tower,
Briggs,	Ingersoll,	Webb,
Brown,	Jones,	Wilder,
Butterfield,	Lacy,	Williams,
Carpenter,	Lane,	Withey,
Coulter,	McDermid,	

29

## NAYS.

Mr. Mulholland,	Mr. Stout,	2
-----------------	------------	---

The question being on concurring in the ninth amendment, the same was not concurred in, the following being the vote thereon:

## YEAS.

Mr. French,	Mr. Green,	2
-------------	------------	---

## NAYS.

Mr. Backus,	Mr. Gale,	Mr. Near,
Bailey,	Ingersoll,	Owen,
Baker,	Jones,	Stout,
Briggs,	Lacy,	Strickland,
Brown,	Lane,	Tower,
Butterfield,	McDermid,	Webb,
Carpenter,	Monroe,	Wilder,
DeLand,	Mulholland,	Williams,

24

Mr. Gale offered the following :

*Resolved*, That no Senator shall speak more than five minutes at any one time, nor more than twice during the discussion of any one question during the remainder of this session, except by unanimous consent;

Which resolution was adopted.

On motion of Mr. Ingersoll,

The committee of the whole was discharged from the further consideration of Senate bill, entitled

A bill to amend an act to incorporate the city of Owosso, approved February 15, 1859;

And the same was ordered to a third reading.

Which motion prevailed.

Mr. Coulter moved to strike out, in line 6, section 18, the words "under the order;" also, strike out of line 8 the word "two;" also, strike out of line 1, section 20, the word "section," and insert "paragraph;"

Which motion prevailed.

Mr. Coulter moved to insert the following, to stand as section 1 of the bill:

Sec. 1. *The people of the State of Michigan enact*, That an act to provide for the drainage and reclamation of swamp lands by means of State roads and ditches, approved Feb. 12, 1859, be and the same is hereby amended, and the new sections, added to said act, numbered sections 13, 14, 15, 16, 17, 18, 19, 20 and 21, so as to read as follows;"

Which motion prevailed.

Mr. Coulter also moved to amend the title by adding thereto the words "nineteen, twenty and twenty-one;"

Which motion prevailed.

Mr. Williams moved to strike out all after the enacting clause; Pending which,

On motion of Mr Wilder,

The bill was recommitted to the committee on public lands.

The Senate took a recess till 2 o'clock P. M.

---

AFTERNOON SESSION.

The Senate was called to order at 2 o'clock.

Roll called: all the Senators present.

Mr. Backus asked and obtained leave to make the following reports:

By the judiciary committee:

The committee on the judiciary, to whom was referred House bill No. 103, being

A bill authorizing the Auditor General to issue second tax deeds in certain cases,

Have had the same under consideration, and would respect-

fully report the same back to the Senate, with the recommendation that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee :

The committee on the judiciary, to whom was referred House bill No. 109, being

A bill making the action of trespass transitory in certain cases,

Have had the same under consideration, and would respectfully report the same back to the Senate, with the recommendation that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

Mr. Owen moved that the committee of the whole be discharged from the further consideration of Senate bill No. 123, being

A bill for the collection of damages sustained by defective bridges on the public highways;

Which motion prevailed.

On motion of Mr. Owen,

Sundry amendments were made, and the bill was ordered to a third reading.

Mr. Stout moved that the committee of the whole be discharged from the further consideration of Senate bill No. 127, entitled

A bill to amend act No. 187, of the session laws of 1859;

Which motion prevailed, and the bill was ordered to a third reading.

Mr. DeLand moved that the committee of the whole be discharged from the further consideration of Senate bill No. 128, being

A bill to regulate the manner of attaching unorganized territory to organized counties for judicial and municipal purposes;

On motion of Mr. DeLand,

Sundry amendments were made, and the bill was ordered to a third reading.

Mr. Williams, by unanimous consent, made the following report:

The committee on incorporations, to whom was referred House bill, entitled

A bill to amend an act entitled an act to incorporate the city of Lansing, approved February 15th, 1859,

Have had the same under consideration. They advise an amendment of section 258, by inserting after the word "election," in the fourth line, the words "and a board of registration." They respectfully report the same back to the Senate, with a recommendation that the same do pass, with the amendment proposed. They ask to be discharged from the further consideration of the same.

JOS. R. WILLIAMS, *Chairman*.

The report was accepted, the committee discharged, and the amendments concurred in, and,

On motion of Mr. Strickland,

The order of business was suspended, and the bill was read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows:

#### YEAS.

Mr. Backus,	Mr. Gale,	Mr. Strickland,	
Bailey,	Hazen,	Tower,	
Brown,	Lane,	Webb,	
Butterfield,	McDermid,	Williams,	
DeLand,	Near,	Withey,	15

#### NAYS.

Mr. Adair,	Mr. Coulter,	Mr. Mulholland,	
Baker,	Galloway,	Stout,	
Briggs,	Green,	Wilder,	
Carpenter,	Lacy,		11

Mr. Strickland moved to reconsider the vote by which the bill was not passed ;

Mr. Baker moved to lay the motion on the table ;

Which motion did not prevail.

The motion to reconsider then prevailed.

Mr. Carpenter moved to recommit the bill to the committee on incorporations, with instructions to strike out all pertaining to an additional supervisor;

Which motion did not prevail.

The bill was then read a third time and passed, two-thirds of all the Senators elect voting therefor, as follows :

#### YEAS.

Mr. Backus,	Mr. Green,	Mr. Monroe,
Bailey,	Hazen,	Near,
Baldwin,	Ingersoll,	Strickland,
Brown,	Jones,	Tower,
Butterfield,	Lacy,	Webb,
DeLand,	Lane,	Williams,
French,	McDermid,	Withey,
Gale,		

22

#### NAYS.

Mr. Adair,	Mr. Carpenter,	Mr. Mulholland,
Baker,	Coulter,	Wilder,
Briggs,	Galloway,	

8

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

Mr. Galloway moved to amend the title of the bill authorizing the taxing of mining companies in the Upper Peninsula, by striking out all after the word "property;"

Which motion prevailed.

Mr. Baldwin moved to discharge the committee of the whole from the further consideration of Senate bill No. 84, being

A bill to provide a tax for the expenses of the State government, and for a sinking fund;

Which motion prevailed.

Mr. Baldwin moved to strike out of the first section, all after the words, "provided for," in the sixth line;

Which motion prevailed.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on the judiciary :

The committee on the judiciary, to whom was referred House bill No. 95, being

A bill to amend an act entitled an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 4, 1858,

Have had the same under consideration, and would respectfully report that after a full and careful examination of the bill referred to them, they are of opinion that several of the provisions made by said bill are subject to serious objections, as conferring upon the Auditor General powers not only very onerous and difficult to be performed, but constitutionally objectional, as embracing judicial powers, and would, if put in exercise, still further embarrass our already complicated system of taxation.

Your committee, therefore, in view of these considerations, and without going into detail as to the objection to the bill referred to them, report the same back to the Senate, together with a substitute, which, in the opinion of the committee, will remedy more effectually some of the defects of the present law, which is all that can be done until the whole system is revised—a proceeding greatly needed, but which the shortness of the time will not now permit. Your committee recommend the adoption of the substitute, and that the same do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the substitute adopted, laid on the table and ordered printed.

By the committee on division of towns and counties :

The committee on division of towns and counties, to whom was referred House bill, entitled

A bill to repeal an act entitled an act to reorganize the county of Emmet, approved Feb. 3, 1858,

Have had the same under consideration, report the bill back

to the Senate with the recommendation that the same do pass, and ask to be discharged.

CHARLES V. DeLAND, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee:

The committee on division of towns and counties, to whom was referred House bill No. 80, being

A bill to organize the county of Keweenaw,

Respectfully report that the bill proposes to organize a new county out of the north part of the present county of Houghton and Isle Royal, and locates the county seat at Eagle River. The population of the county of Houghton is distributed over a large extent of territory, and it is now peculiarly inconvenient for the people, a large part of the year, to transact county business. The new county will have a population of about 8,500 people, and leave Houghton a population of about 6,000 persons. The committee believe the interests of the people will be promoted by the proposed change; therefore we recommend that the bill do pass, and ask to be discharged from the further consideration thereof.

CHARLES V. DeLAND, *Chairman*.

The report was accepted, committee discharged, and the bill ordered to a third reading.

By the same committee:

The committee on division of towns and counties, to whom was referred House bill No. 111, being

A bill to change the boundaries of the county of Houghton, and to establish the county seat thereof,

Respectfully report that from all the facts in their possession, they believe the changes proposed, will result in the convenience of the population and business of the Upper Peninsula, therefore recommend that the bill do pass, and ask to be discharged from the further consideration thereof.

CHARLES V. DeLAND, *Chairman*.

Report accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on the insane asylum:

The committee on the asylum for the insane, to whom was referred House bill No. 67, being

A bill to amend an act entitled an act to organize the Michigan Asylum for the Insane, and more effectually to provide for the care, maintenance and recovery of the same;

Have had the same under consideration, and respectfully report the same back to the Senate with the recommendation that it do pass, and ask to be discharged from the further consideration of said bill.

N. WEBB, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on public instruction:

The committee on public instruction, to whom was referred the remonstrance in behalf of the board of regents of the University, against the passage of the Senate bill, entitled

A bill to repeal act No. 143, of the session laws of 1859, relative to the University interest fund,

Respectfully report that they have endeavored to give the subject that careful consideration which the importance of the interests involved in it demand. The University now receives the interest on the proceeds of the University lands sold, and nothing more. The object of the bill under consideration is, and its effect if it should become a law, would be to withhold from the University, a part of that income which is now needed for its "use and support," and to force the board of regents to discontinue some one of its departments. Your committee have not been able to see how the interests of the State are to be promoted by striking such a blow at this institution. Michigan has a State system of education which it has ever been, and your committee trust it will ever continue to be her policy to foster and encourage. In this State system of education, the University occupies no mean or unimportant position.



Under the fostering care of the State, it has grown up from a feeble college with two professors and eleven students, to a fully developed University, with nearly seven hundred students, second to but one of the many eminent educational institutions of this country. It has ever been the policy of those who have had the direction of affairs in that portion of the north-west now occupied by Michigan, to cherish and foster education as one of indispensable elements of intelligent, successful government, and of individual, as, well as of national prosperity. So long ago as 1787, Congress, in the celebrated ordinance of that year, "for the government of the territory of the United States north-west of the river Ohio," declared that "religion, morality and knowledge being essential to good government and the happiness of mankind, *schools, and the means of education shall forever be encouraged.*" Your committee regard the University of Michigan as one of those "means of education" embraced in that solemn pledge of Congress.

The United States and the State of Michigan have thus far endeavored to keep that promise. The bill under consideration proposes to abandon that policy, and to cripple one of the noblest institutions of the State, by depriving it of one-fifth of the legitimate income derived from its national endowment. From a careful examination of all the acts of Congress, of the constitutions of Michigan, and of her legislation in relation to university and primary school lands, your committee entertain no doubt that it was the intention of the United States and of the State of Michigan that the funds created by the sale of these lands should be regarded and treated as endowments, the *interest of which alone* should be expended—the one for the support of schools, and the other for the support of the university.

Your committee are equally clear in the opinion that it would be no more unwise or unjust, or any more a violation of their trusts, for the State to direct that any part of the principal or interest of the primary school fund should be expended in the erection of school-houses, than it would be to direct that any

part of the university fund should be expended in the construction of the buildings necessary for the establishment of that institution. The first constitution of the State declares that the proceeds of the sales of the university lands should "be and remain a permanent fund for the *use and support* of the university." And the present constitution affirms that they "shall be and remain a *perpetual* fund, the interest of which shall be *inviolably* appropriated, and *annually* applied to the specific object of the grant," which was "solely for the use and support of the university." And yet this bill proposes that the Legislature shall enact that this interest shall not be "annually applied to the specific object of the grant."

Your committee believe that the university is justly and legally, according to the terms of the grant and the provisions of both the old and new constitutions of the State, entitled to the interest which it now receives from the State, and such has been the deliberate judgment of four successive Legislatures; and your committee hope and trust that this question may forever be permitted to rest where it is, and that our university may be permitted to continue its career of prosperity and usefulness unmolested and unhindered by any unwise or ill-advised legislation.

Your committee, therefore, unanimously recommend that the bill referred to in the remonstrance referred to them do not pass, and ask that your committee be discharged from the further consideration of the subject.

N. WEBB, *Chairman*.

The report was accepted, the committee discharged, and the remonstrance laid on the table.

By the committee on privileges and elections:

The committee on privileges and elections, to whom was referred the petition of W. B. Wells, A. Williams, A. F. Carr, H. Rich and 153 others, citizens of Ionia county; and also, the petition of Hon. James Kipp, Henry Walbridge and 54 others, citizens of Clinton county, which petition is as follows:

*"To the Honorable the Senate and House of Representatives of the State of Michigan :*

"Your petitioners, inhabitants of the counties of Ionia and Clinton, State of Michigan, would respectfully represent unto your honorable body that, under the present constitution of the State of Michigan, a large number of the citizens of said State are excluded from the inestimable privilege of the elective franchise; that as a large portion of those individuals so deprived are tax-paying citizens, and are compelled to share pecuniarily the burthens of said State, while they are excluded from some of its sacred privileges—

"Your petitioners would, therefore, respectfully say that they deem the prohibition virtually wrong, unjust and oppressive, and therefore petition your honorable body to propose such amendments to the constitution as will remove the disabilities complained of, and afford equal civil rights to all classes of citizens;"

Have had the same under consideration, and report that said petition is so vague, indefinite and incomprehensible, that your committee would consider it as intended only for a burlesque were it not for the high and honorable standing of the men whose names are thereto attached. It was hardly necessary for said petitioners to inform this honorable body that "a large number of the citizens of this State were excluded from the inestimable privilege of the elective franchise," for it is to be presumed in this enlightened State of Michigan that no person would be able to find his way into the Legislature who was so ignorant that he did not know that infants, women, negroes and *wild* Indians are thus excluded, including more than four-fifths of all the citizens of the State; and your petitioners do not see fit to inform us which of these classes, or all of them, they would have restored to said privilege, and if the Legislature concludes to grant the prayer of the petitioners, and give to all the right to the elective franchise, your committee would recommend that, instead of amending this eminently unequal and unjust constitution, it be abolished; and that every person, old

or young, male or female, black or white, be restored to their natural, inalienable rights, and then they can boast that

"No pent up Utica contracts our powers,  
The boundless universe is ours."

¶ Your petitioners intimate that there are other "sacred privileges" from which some are excluded, and other "disabilities" to be removed in order to afford equal rights to all classes of citizens." And as to what those privileges and disabilities are, your committee are left entirely in the dark, and whether they can be reached and removed by amending the present famous constitution of Michigan, is, in the minds of your committee, extremely problematical and uncertain, and would respectfully suggest, whether, to accomplish that object, it would not be necessary to mend the constitution of the people and nature's laws, a power not claimed to any extent by this honorable body, if not prohibited by the constitution. That the elective franchise can be extended with safety to the public interest and benefit to the people, your committee have no doubt, and to take the opposite view, would be the blankest fogysim, worthy only of the age when all, both in body and mind, were compelled to conform to a certain length—when creeds and dogmas took the place of reason and knowledge. Laws which limit the right to age, color, sex and condition, or exclude so large a class of the inhabitants of the United States, cannot, in the very nature of things, be just and permanent, but should be changed to conform to the condition, interests and ever increasing intelligence of the age.

As your petitioners have not pointed out the particular change they would have made in the constitution, your committee refer the whole subject to the wisdom of the Legislature without recommendation, and ask to be discharged from the further consideration of the subject.

OSMOND TOWER, *Chairman.*

Report accepted, committee discharged, and the petition laid on the table.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to authorize the Marshall and Ionia Plank Road Company to discontinue a portion of their road, and for other purposes,

Report the same back without recommendation, and ask to be discharged from the further consideration of the subject.

All which is respectfully submitted.

N. GREEN, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on public lands:

The committee on public lands, to whom was referred the following mentioned bills, to wit:

1. A bill to appropriate certain swamp lands for the building and improvement of a road leading north from the village of Dowagiac, in Cass county, to the territorial road in Van Buren county;

2. A bill granting swamp lands for the purpose of constructing a State road surveyed and laid out under the provisions of act No. 70, of the session laws of 1857;

3. A bill to appropriate 5000 acres of swamp lands to open and improve the State road from Mecosta county to the county site of Oceana county;

4. A bill to lay out, establish and improve a road from Muskegon river to the north line of Mason county, and making appropriation of swamp lands for building the same;

Respectfully report they have had the same under consideration, and report the same back to the Senate without amendment, with a recommendation that said bills do pass, and ask to be discharged from the further consideration of the same.

EZRA HAZEN, *Chairman*.

The report was accepted, the committee discharged, and the bills laid on the table and ordered printed.

By the same committee:

The committee on public lands, to whom was referred

A bill to amend an act to provide for the drainage of swamp lands by actual settlers, being act No. 229, session laws of 1859,

Have had the same under consideration, and report the same back to the Senate without any recommendation whatever, a similar House bill having passed the Senate, and ask to be discharged from the further consideration thereof.

EZRA HAZEN, *Chairman.*

The report was accepted, the committee discharged, and the bill laid on the table.

By the same committee:

The committee on public lands, to whom was recommitted

A bill to amend an act entitled an act to provide for the draining and reclamation of swamp lands by means of State roads and ditches, approved February 12, 1859,

Respectfully report the same back to the Senate, with certain amendments, and recommend its passage with such amendment.

EZRA HAZEN, *Chairman.*

The report was accepted, the committee discharged, and the amendment concurred in, and the bill ordered to a third reading.

By the same committee :

The committee on public lands, to whom was referred

A bill to amend an act entitled an act to provide for the draining and reclamation of swamp lands by means of State roads and ditches, being act No. 117 of session laws of 1859,

Which bill had passed the Senate, and also the House, with certain amendments,

Respectfully report the same back to the Senate, and recommend the Senate concur in said amendments.

EZRA HAZEN, *Chairman.*

The report was accepted, the committee discharged, and the bill laid on the table.

By the committee on internal improvements :

The committee on internal improvements, to whom was referred

A bill for the assessment of damages caused by the flowing of lands, by the erection of mill dams,

Have had the same under consideration, and have instructed me to report the said bill back to the Senate with several

amendments, which are herewith presented, and, so amended, your committee recommend the passage of the bill, and ask to be discharged from the further consideration of the subject.

J. CARPENTER, *Chairman*.

The report was accepted, the committee discharged, the amendments concurred in, and the bill laid on the table and ordered printed.

By the committee on incorporations :

The committee on incorporations, to whom was referred House bill "to incorporate the village of Lowell, in the county of Kent;" have had the same under consideration, and respectfully report the same back to the Senate without amendment, with a recommendation that the same do pass. They ask to be discharged from the further consideration thereof.

JOS. R. WILLIAMS, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee:

The committee on incorporations, to whom was referred House bill "to incorporate the village of Decatur;" have had the same under consideration, and respectfully report the same back to the Senate without amendment. They recommend that the same do pass, and ask to be discharged from a further consideration of the subject.

JOS. R. WILLIAMS, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee :

The committee on incorporations, to whom was referred House bill, to incorporate the village of Muskegon,

Respectfully report the same back to the Senate without amendment, recommend its passage, and ask to be discharged.

JOS. R. WILLIAMS, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on State affairs :

The committee on State affairs, to whom was referred House bill, in manuscript, being a bill to amend act No. 56, of the session laws of 1859, relative to the conveyance of a certain lot in Lansing to the Church of the United Brethren,

Report that they have had the same under consideration, and herewith return it to the Senate, and recommend that it do pass.

B. G. STOUT, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee :

The committee on State affairs, to whom was referred House bill No. 10, relative to duties of judges of probate,

Respectfully report that they have had the bill under consideration, and herewith return it to the Senate with the recommendation that it do pass, and ask to be discharged from the further consideration of the same.

BYRON G. STOUT, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee :

The committee on State affairs, to whom was referred a communication from one of the departments of the General Government asking from the State a cession of jurisdiction over so much of territory as may be purchased by the United States for the purpose of constructing light-houses within this State, with instruction to report a joint resolution ceding such a jurisdiction, report: That they have had the communication under consideration, and agreeable to their instructions, herewith submit a joint resolution ceding such jurisdiction. Your committee are, however, of the opinion that the constitution which forbids the introduction of bills after the first fifty days of the session, precludes the passage of the joint resolution.

All of which is respectfully submitted.

B. G. STOUT, *Chairman*.

The report was accepted, the committee discharged, and the joint resolution laid on the table.



## MESSAGES FROM THE OTHER HOUSE:

The President announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, March 7, 1861.* }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following entitled bill :

A bill to authorize the First Congregational Church and society of the village of Hudson to sell their church lot, or any part thereof,

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, March 7, 1861.* }

*To the President of the Senate :*

SIR:—I am instructed by the House to transmit the following entitled bills :

1. A bill to apportion anew the Representatives among the several counties and districts of this State;

2. A bill to organize the county of Delta, and define the boundaries of the same;

Which have passed the House by a majority vote of all the members elect, in and which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bills read twice,

by title, the first named referred to the committee on State affairs, and the last named to the committee on towns and counties.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, March 6, 1861. }

*To the President of the Senate :*

SIR :—I am instructed to return to the Senate the following:

A bill to amend section 2033 of the compiled laws, relative to gifts, bequests and legacies to religious societies,

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, March 7, 1861. }

*To the President of the Senate :*

SIR :—I am instructed by the House to re-transmit the following bill:

A bill to amend chapter 23 of the compiled laws, relative to obstructions and encroachments of highways,

And to inform the Senate that the House has not concurred in the amendment made thereto, by striking out the word "sixty," where it occurs in line 5, section 2, and in line 1, section 3, and inserting in lieu thereof the word "thirty," and respectfully requests the Senate to recede therefrom.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and,

On motion of Mr. Brown,

The Senate receded from its amendment.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, March 6, 1861.*

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following bill:

A bill to authorize the people of Gratiot and other new counties to work out the amount of their indebtedness to this State on the highways in said counties,

In the passage of which, the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, March 6, 1861.*

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following entitled bill :

A bill to amend sections 404 and 405 of the compiled laws, being sections 63 and 64 of chapter 10, enabling county clerks to appoint deputies,

Which the House has amended by inserting after the word "court" in third line of section 1, the words "one of whom shall be designated in the appointment as the successor of such clerk in case of vacancy from any cause;"

Also, by striking out the words "his office," in the fifth line of section 1, and inserting in place thereof the words "the office of the county treasurer;"

Also, by inserting at the end of section 1, the following :  
"Provided, That no practicing attorney shall be made such deputy;"

In the passage of which, as amended, the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the amendments were concurred in by the following vote ;

**YEAS.**

Mr. Adair,	Mr. Coulter,	Mr. Lane,	
Backus,	DeLand,	McDermid,	
Bailey,	French,	Monroe,	
Baldwin,	Galloway,	Mulholland,	
Briggs,	Green,	Near,	
Brown,	Ingersoll,	Strickland,	
Butterfield,	Jones,	Webb,	
Carpenter,	Lacy,	Withey,	24

**NAYS.**

Mr. Baker,	Mr. Wilder,	2
------------	-------------	---

And the bill was ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, March 6, 1861. }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following bill :

Senate bill No. 28, entitled

A bill to facilitate trials and other proceedings by jury,

Which the House has amended as follows :

I. Insert in the third line, after the word "journal," the words "or docket ;"

Add to the bill the words : "and that this act shall not apply to the trial of criminal causes in courts of record."

In the passage of which, as amended, the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives*

The message was laid on the table, and the amendments were concurred in by the following vote:

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Mulholland,	
Backus,	Green,	Near,	
Briggs,	Hazen,	Strickland,	
Brown,	Ingersoll,	Webb,	
Butterfield,	Lacy,	Wilder,	
Carpenter,	Lane,	Withey,	
Coulter,	McDermid,		20

## NAYS.

Mr. Bailey,	Mr. French,	Mr. Tower,	
Baker,	Jones,		5

And the bill was ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, {  
Lansing, March 7, 1861. }

To the President of the Senate:

SIR:—I am instructed to return to the Senate the following entitled bill :

A bill to reorganize the Agricultural College of the State of Michigan, and to establish a State Board of Agriculture;

And to inform the Senate that the House insists upon its amendment to the bill, to strike out the name of "Geo. W. Germain, of Ionia county," and insert in place thereof the name of "Silas A. Yerkes, of Kent county," in section 29.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table.

Mr. Butterfield moved that the Senate recede from its refusal to concur in the amendments of the House;

Which motion did not prevail.

Mr. Tower moved that a committee be appointed to confer with a like committee on the part of the House, upon the matter of disagreement between the two houses;

Which motion prevailed.

The President appointed Senators Strickland, Tower and Withey as such committee.

Mr. French moved that the order of business be suspended, and that the Senate proceed to the order of third reading of bills; Which motion prevailed.

### THIRD READING.

Senate bill, entitled

A bill relative to plank roads,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

### YEAS.

Mr. Adair,  
Backus,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
DeLand,  
French,  
Gale,

Mr. Galloway,  
Green,  
Ingersoll,  
Jones,  
Lane,  
McDermid,  
Monroe,  
Mulholland,

Mr. Near,  
Owen,  
Stout,  
Strickland,  
Tower,  
Wilder,  
Williams,  
Withey,

25

### NAYS.

Mr. Bailey,

Mr. Baker,

2

The title was agreed to.

Senate bill No. 76, being

A bill to amend an act entitled an act relative to convicts sentenced to solitary confinement in the State prison for life, approved April 2, 1849, being section 6230 of compiled laws,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

### YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
DeLand,  
Gale,

Mr. French,  
Galloway,  
Green,  
Ingersoll,  
Jones,  
Lacy,  
Lane,  
McDermid,

Mr. Mulholland,  
Near,  
Owen,  
Strickland,  
Tower,  
Wilder,  
Williams,  
Withey,

25

## NAYS.

Mr. Baker,	Mr. Monroe,	Mr. Stout,	3
------------	-------------	------------	---

The title was agreed to.

House bill, No. 100, entitled

A bill to relieve observers of the seventh day of the week from the necessity of defending suits in violation of their consciences,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. Coulter,	Mr. McDermid,	
Backus,	French,	Near,	
Bailey,	Galloway,	Strickland,	
Baldwin,	Green,	Tower,	
Briggs,	Hazen,	Webb,	
Brown,	Ingersoll,	Wilder,	
Butterfield,	Lacy,	Williams,	21

## NAYS.

Mr. Baker,	Mr. Jones,	Mr. Owen,	
Carpenter,	Monroe,	Stout,	
DeLand,	Mulholland,	Withey,	
Gale,			10

The title was agreed to.

Senate bill No. 112, being

A bill to amend section 26, chapter 101, of the revised statutes of 1846, being section 3064, of the compiled laws, relative to the sale of real estate of deceased persons,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Mulholland,	
Backus,	French,	Near,	
Bailey,	Gale,	Stout,	
Baker,	Green,	Strickland,	
Baldwin,	Hazen,	Tower,	
Briggs,	Jones,	Webb,	
Brown,	Lacy,	Wilder,	
Butterfield,	Lane,	Williams,	
Carpenter,	McDermid,	Withey,	
Coulter,	Monroe,		29

## NAYS.

0

Title agreed to.

Senate bill No. 129, being

A bill relative to the letting of contracts by State officers, boards of control, inspectors or commissioners,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

YEAS.

Mr. Adair,	Mr. French,	Mr. Mulholland,	
Backus,	Gale,	Near,	
Bailey,	Galloway,	Owen,	
Baker,	Green,	Stout,	
Baldwin,	Hazen,	Strickland,	
Briggs,	Ingersoll,	Tower,	
Brown,	Jones,	Webb,	
Butterfield,	Lacy,	Wilder,	
Carpenter,	Lane,	Williams,	
Coulter,	McDermid,	Withey,	
DeLand,	Monroe,		32
	NAYS.		0

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

Senate bill No. 97, entitled

A bill relative to laying out, altering, and discontinuing highways,

Came up for a third reading.

Mr. Monroe moved as a substitute for the same,

Senate bill No. 85, entitled

A bill to alter and amend chapter 22, of title 9, of the compiled laws, in relation to laying out, altering and discontinuing public roads and highways.

Mr. Withey moved to lay both bills on the table ;

Which motion did not prevail.

Mr. Withey moved that the bills be committed to a select committee ;

Which motion did not prevail.

The substitute was not adopted.

On motion of Mr. Withey,

Senate bill No. 97, was laid on the table.



House bill No. 146, entitled

A bill to amend chapter 150 of the revised statutes of 1846, it being chapter 175 of compiled laws,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Mulholland,	
Backus,	Gale,	Near,	
Bailey,	Hazen,	Owen,	
Baldwin,	Ingersoll,	Webb,	
Brown,	Lacy,	Wilder,	
Butterfield,	Lane,	Williams,	
Carpenter,	McDermid,	Withey,	
Coulter,	Monroe,		23

## NAYS.

Mr. Baker,	Mr. Green,	Mr. Stout,	
Briggs,	Jones,	Tower,	6

On motion of Mr. Backus,

The title was amended by adding thereto the following: "authorizing the judge of probate of the county of Wayne to appoint a register."

The title, as thus amended, was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

House bill No. 147, entitled

A bill to provide for the manner of equalizing the assessment roll of the board of supervisors of the county of Wayne,

Was read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows:

## YEAS.

Mr. Baker,	Mr. Jones,	Mr. Mulholland,	
DeLand,	Lane,	Near,	
Gale,			7

## NAYS.

Mr. Backus,	Mr. Carpenter,	Mr. Owen,
Bailey,	Coulter,	Stout,
Baldwin,	Green,	Strickland,

Briggs,  
Brown,  
Butterfield,

Lacy,  
Monroe,

Williams,  
Withey,

16

Senate bill, entitled

A bill to provide for the construction of a road in Saginaw county,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows: -

## YEAS.

Mr. Adair,  
Backus,  
Baldwin,  
Brown,  
Butterfield,  
Coulter,  
DeLand,  
French,

Mr. Gale,  
Green,  
Hazen,  
Ingersoll,  
Jones,  
Lacy,  
McDermid,  
Monroe,

Mr. Mulholland,  
Near,  
Owen,  
Stout,  
Strickland,  
Tower,  
Wilder,  
Withey,

24

## NAYS.

Mr. Baker,  
Briggs,

Mr. Carpenter,

Mr. Williams,

4

The title was agreed to.

House bill No. 139, entitled

A bill to reduce the capital stock of the president, directors and company of the Peninsular bank,

Was read a third time and passed, two-thirds of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Carpenter,  
Coulter,  
DeLand,

Mr. French,  
Gale,  
Galloway,  
Green,  
Hazen,  
Ingersoll,  
Lacy,  
McDermid,  
Monroe,

Mr. Mulholland,  
Near,  
Owen,  
Stout,  
Strickland,  
Tower,  
Webb,  
Williams,  
Withey,

28

## NAYS.

Mr. Butterfield,

1

The title was agreed to, and the bill ordered to take immediate effect, by a vote of two-thirds of all of said Senators.

On motion of Mr. Withey,

Senate bill No. 97, being

A bill relative to the laying out, altering and discontinuing highways,

Was taken from the table.

Mr. Withey moved to amend by inserting after the word "commissioners," at the end of line 1, section 11, the words "as to the necessity of laying out, altering or discontinuing such highways, or ;"

Which motion prevailed.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

#### YEAS.

Mr. Adair,	Mr. French,	Mr. Mulholland,
Backus,	Gale,	Near,
Bailey,	Galloway,	Owen,
Baker,	Green,	Stout,
Baldwin,	Hazen,	Strickland,
Briggs,	Ingersoll,	Tower,
Brown,	Jones,	Webb,
Butterfield,	Lacy,	Wilder,
Carpenter,	Lane,	Williams,
Coulter,	McDermid,	Withey,
DeLand,		

31

#### NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

Senate bill No. 90, entitled

A bill to repeal the charter of the Jackson and Michigan Plank Road Company, approved April 3, 1848,

Came up for a third reading, and was laid on the table.

Senate bill No. 133, entitled

A bill to amend an act entitled an act disposing of certain grants of land made to the State of Michigan, for railroad purposes, approved June 3d, 1856, approved February 14, 1857,

Came up for a third reading.

Mr. Monroe, leave being granted, moved to amend by striking out "traffic," in line 13, section 7, and inserting "use ;"

Which motion prevailed.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. French,	Mr. Lane,
Backus,	Gale,	Monroe,
Bailey,	Galloway,	Near,
Baker,	Green,	Strickland,
Baldwin,	Hazen,	Webb,
Butterfield,	Ingersoll,	Williams,
Coulter,	Jones,	Withey,
DeLand,		

22

## NAYS.

Mr. Briggs,	Mr. McDermid,	Mr. Stout,
Brown,	Mulholland,	Tower,
Carpenter,	Owen,	Wilder,
Lacy,		

10

The title was agreed to.

Senate bill No. 90, entitled

A bill relative to brokers and exchange dealers,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Bailey,	Mr. Gale,	Mr. Mulholland,
Baldwin,	Galloway,	Near,
Briggs,	Green,	Stout,
Butterfield,	Hazen,	Strickland,
Carpenter,	Ingersoll,	Tower,
Coulter,	Lacy,	Webb,
DeLand,	Lane,	Wilder,
French,	McDermid,	Williams,

24

## NAYS.

Mr. Adair,	Mr. Baker,	Mr. Withey,
Backus,	Brown,	

5

The title was agreed to.

Senate bill No. 91, being

A bill more effectual to secure the lien of mechanics and other laborers,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Carpenter,

Mr. Coulter,  
DeLand,  
French,  
Galloway,  
Green,  
Ingersoll,  
Jones,

Mr. McDermid,  
Monroe,  
Near,  
Tower,  
Wilder,  
Williams,  
Withey,

22

## NAYS.

Mr. Butterfield,  
Lacy,  
Lane,

Mr. Mulholland,  
Owen,

Mr. Stout,  
Webb,

7

The title was agreed to.

On motion of Mr. Baker,

The Senate took a recess till 2 o'clock P. M.

## AFTERNOON SESSION.

The Senate was called to order at 2 o'clock.

Roll called : quorum present.

The Senate resumed business in the order of

## THIRD READING.

House bill, entitled

A bill to authorize the Jackson County Agricultural Society to borrow money and mortgage certain real estate to secure the payment of the same,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
DeLand,  
French,

Mr. Galloway,  
Green,  
Hazen,  
Jones,  
Lacy,  
Lane,  
McDermid,  
Monroe,  
Mulholland,

Mr. Near,  
Owen,  
Stout,  
Strickland,  
Tower,  
Wilder,  
Williams,  
Withey,

26

## NAYS.

Mr. Baker,

Mr. Gale,

2

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

Senate bill, entitled

A bill to appropriate the proceeds of certain swamp lands to the reclamation of certain swamps and marshes in Jackson county,

Came up for a third reading.

Mr. Baker, leave being granted, moved to amend by inserting at the end of the last section: "also, that that the unexpended balance due from the swamp lands in Hillsdale and Lenawee counties be expended in draining the same in these counties named ;"

Which motion prevailed.

On motion of Mr. DeLand,

The bill was laid on the table.

House bill No. 103, being

A bill authorizing the Auditor General to issue second tax deeds in certain cases,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

#### YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Coulter,

Mr. French,  
Galloway,  
Green,  
Hazen,  
Ingersoll,  
Jones,  
Lacy,  
Lane,  
McDermid,

Mr. Monroe,  
Mulholland,  
Near,  
Strickland,  
Tower,  
Webb,  
Wilder,  
Withey,

26

#### NAYS.

Mr. DeLand,

Mr. Owen,

Mr. Stout,

3

The title was agreed to, and the bill ordered to take immediate effect, by a vote of two-thirds of all said Senators.

House bill No. 109, entitled

A bill making the action of trespass transitory, in certain cases,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. French,	Mr. Monroe,	
Backus,	Galloway,	Mulholland,	
Bailey,	Green,	Near,	
Baker,	Hazen,	Owen,	
Briggs,	Ingersoll,	Tower,	
Brown,	Jones,	Webb,	
Butterfield,	Lacy,	Wilder,	
Coulter,	McDermid,	Withey,	24

## NAYS.

Mr. Lane,	1
-----------	---

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

Senate bill, entitled

A bill to amend an act to incorporate the city of Owosso, approved February 15, 1859,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Backus,	Mr. French,	Mr. Monroe,	
Bailey,	Galloway,	Mulholland,	
Baker,	Green,	Near,	
Baldwin,	Hazen,	Owen,	
Briggs,	Ingersoll,	Stout,	
Brown,	Jones,	Strickland,	
Butterfield,	Lacy,	Tower,	
Coulter,	Lane,	Webb,	
DeLand,	McDermid,	Withey,	27

## NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

House bill, entitled

A bill to repeal an act entitled an act to amend an act entitled an act to reorganize the county of Emmett, approved February 3, 1858,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Monroe,	
Backus,	French,	Mulholland,	
Bailey,	Green,	Near,	
Baker,	Hazen,	Stout,	
Baldwin,	Ingersoll,	Strickland,	
Briggs,	Jones,	Tower,	
Brown,	Lacy,	Webb,	
Butterfield,	Lane,	Wilder,	
Coulter,	McDermid,	Withey,	27

## NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

House bill, entitled

A bill to provide for the support and maintenance of the Michigan Mining School,

Came up for a third reading, and was laid on the table.

Senate bill, entitled

A bill making an appropriation of swamp lands for the relief of James Maycroft,

Came up for a third reading,

Mr. Williams, leave being granted, moved to amend by striking out "eighty," in the 2d line, and inserting "forty;"

Which motion did not prevail.

Mr. Ingersoll moved to reconsider the last vote;

Which motion did not prevail.

The bill was then read a third time and passed, two-thirds of all the Senators elect voting therefor, as follows:

## NAYS.

Mr. Adair,	Mr. Gale,	Mr. Monroe,	
Backus,	Galloway,	Mulholland,	
Bailey,	Hazen,	Near,	
Baldwin,	Ingersoll,	Strickland,	
Brown,	Jones,	Tower,	
Butterfield,	Lacy,	Webb,	
DeLand,	Lane,	Williams,	
French,	McDermid,	Wilder,	24

## YEAS.

Mr. Green,	Mr. Stout,	2
------------	------------	---

The title was agreed to.



House bill No. 111, entitled

A bill to change the boundaries of the county of Houghton, and establish the county seat thereof,

Came up for a third reading, and was recommitted to the committee on towns and counties.

Senate bill No. 128, entitled

A bill to regulate the manner of attaching unorganized territories to organized counties, for judicial and municipal purposes,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

YEAS.

Mr. Adair,	Mr. Gale,	Mr. Monroe,
Backus,	Galloway,	Mulholland,
Baker,	Green,	Near,
Baldwin,	Hazen,	Owen,
Briggs,	Ingersoll,	Stout,
Brown,	Jones,	Strickland,
Butterfield,	Lacy,	Webb,
Coulter,	Lane,	Williams,
DeLand,	McDermid,	Withey,
French,		

28

NAYS.

Mr. Tower,	1
------------	---

The title was agreed to.

House bill No. 67, entitled

A bill to amend an act entitled an act to organize the Michigan asylum for the insane, and more effectually to provide for the care, maintenance and recovery of the insane,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

YEAS.

Mr. Adair,	Mr. Gale,	Mr. Mulholland,
Backus,	Galloway,	Near,
Baker,	Green,	Owen,
Baldwin,	Ingersoll,	Stout,
Briggs,	Hazen,	Strickland,
Brown,	Jones,	Tower,
Butterfield,	Lacy,	Webb,
Coulter,	Lane,	Williams,

DeLand,  
French,McDermid,  
Monroe,

Withey,

29

NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

House bill No. 30, entitled

A bill to establish and organize the county of Keweenaw,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

YEAS.

Mr. Adair,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Coulter,  
DeLand,  
French,Mr. Gale,  
Galloway,  
Green,  
Hazen,  
Ingersoll,  
Jones,  
Lacy,  
Lane,  
McDermid,Mr. Mulholland,  
Near,  
Stout,  
Strickland,  
Tower,  
Webb,  
Williams,  
Withey,

26

NAYS.

Mr. Owen,

1

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

House bill, entitled

A bill to authorize the Marshall and Ionia Plank Road Company to discontinue a portion of their road, and for other purposes,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

YEAS.

Mr. Adair,  
Backus,  
Brown,  
Butterfield,  
Coulter,  
DeLand,Mr. French,  
Green,  
Jones,  
Lacy,  
Lane,  
McDermid,Mr. Near,  
Strickland,  
Tower,  
Williams,  
Withey,

17

NAYS.

Mr. Gale,  
Ingersoll,Mr. Mulholland,  
Stout,

Mr. Webb,

5

The title was agreed to.

Senate bill No. 123, entitled

A bill for the collection of damages sustained by defective bridges on the public highways,

Came up for a third reading, and was recommitted to the committee on roads and bridges.

House bill No. 116, entitled

A bill to amend sections 3 to 11 inclusive, of chapter 100, of the revised statutes of 1846, sections 4188 to 4196 inclusive, of the compiled laws, relative to referees,

Was read a third time, and passed, a majority of all the Senators elect voting therefor, as follows :

YEAS.

Mr. Adair,	Mr. Gale,	Mr. Monroe,	
Backus,	Galloway,	Mulholland,	
Bailey,	Green,	Near,	
Baker,	Hazen,	Owen,	
Baldwin,	Ingersoll,	Stout,	
Briggs,	Jones,	Strickland,	
Brown,	Lacy,	Tower,	
Butterfield,	Lane,	Webb,	
Coulter,	McDermid,	Withey,	
French,			28

NAYS.

0

The title was agreed to.

House bill No. 93, entitled

A bill to provide for the formation of companies to construct canals or harbors and improve the same,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

YEAS.

Mr. Adair,	Mr. Green,	Mr. Monroe,	
Backus,	Hazen,	Mulholland,	
Baldwin,	Ingersoll,	Near,	
Brown,	Lane,	Stout,	
Butterfield,	Lacy,	Webb,	
DeLand,	McDermid,	Withey,	
French,			19

NAYS.

Mr. Bailey,	Mr. Galloway,	Mr. Strickland,
Baker,	Jones,	Tower,

Briggs,  
Gale,

Owen,

Wilder,

10

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

Senate bill No. 72, entitled

A bill to amend an act entitled act to provide for the incorporation of railroad companies, approved Feb. 12, 1855,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

YEAS.

Mr. Adair,  
Backus,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Coulter,  
DeLand,  
French,

Mr. Gale,  
Galloway,  
Green,  
Hazen,  
Ingersoll,  
Jones,  
Lacy,  
Lane,  
McDermid,

Mr. Monroe,  
Mulholland,  
Near,  
Owen,  
Stout,  
Strickland,  
Webb,  
Williams,  
Withey,

28

NAYS.

Mr. Bailey,

Mr. Wilder,

2

The title was agreed to.

House bill, entitled

A bill to incorporate the village of Decatur,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baker,  
Briggs,  
Brown,  
Butterfield,  
Coulter,  
DeLand,

Mr. French,  
Gale,  
Green,  
Hazen,  
Ingersoll,  
Jones,  
Lacy,  
Lane,  
McDermid,

Mr. Mulholland,  
Near,  
Stout,  
Strickland,  
Webb,  
Wilder,  
Williams,  
Withey,

26

NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

House bill, entitled

A bill to incorporate the village of Lowell, in the county of Kent,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

• Mr. Backus,	Mr. Galloway,	Mr. Near,
Bailey,	Hazen,	Stout,
Baldwin,	Ingersoll,	Strickland,
Briggs,	Jones,	Tower,
Brown,	Lacy,	Webb,
Butterfield,	McDermid,	Williams,
Coulter,	Mulholland,	Withey
DeLand,		22

## NAYS.

Mr. Adair,	Mr. Wilder,	2
------------	-------------	---

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

Senate bill, entitled

A bill to change a portion of the boundary line between the city of Detroit and the township of Hamtramck, in the county of Wayne,

Was read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. Jones,	Mr. Near,
Backus,	McDermid,	Stout,
Brown,	Monroe,	Strickland,
Butterfield,	Mulholland,	Williams,
Green,		13

## NAYS.

Mr. Bailey,	Mr. DeLand,	Mr. Ingersoll,
Baldwin,	Gale,	Lane,
Briggs,	Galloway,	Withey,
		9

House bill, entitled

A bill to incorporate the village of Muskegon,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Backus,	Mr. Galloway,	Mr. Near,
Bailey,	Hazen,	Stout,

Briggs,  
Brown,  
Butterfield,  
Coulter,  
DeLand,  
French,

Ingersoll,  
Jones,  
Lacy,  
Lane,  
McDermid,  
Mulholland,

Strickland,  
Tower,  
Webb,  
Williams,  
Withey,

23

## NAYS.

0.

The title was agreed to, and the bill ordered to take immediate effect, by a vote of two-thirds of all said Senators.

Senate bill No. 85, being

A bill to alter and amend chapter 22, of title 9, of the compiled laws, in relation to laying out, altering and discontinuing public roads and highways,

Came up for a third reading, and was laid on the table.

House bill No. 10, entitled

An act to amend sections 1, 4 and 5, of an act entitled an act to amend chapter 150 of the revised statutes of 1846, it being chapter 175 of the compiled laws, and to authorize the salary of judges of probate,

Came up for a third reading, and was laid on the table.

On motion of Mr. Owen,

The Senate took a recess till 7 o'clock.

---

EVENING SESSION.

The Senate was called to order at 7 o'clock.

Roll called : a quorum present.

Mr. DeLand, leave being granted, made the following report:

By the committee on towns and counties :

The committee on division of towns and counties, to whom was referred House bill No. 104, being

A bill to organize the county of Delta, and to define the boundaries of the same,

Respectfully report the same back, with a request that the same do pass, and ask to be discharged from the further consideration thereof.

CHARLES V. DeLAND, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

The Senate resumed business in the order of

### THIRD READING.

House bill, entitled

A bill to amend an act to authorize the conveyance of a certain lot in the village of Lansing, to the trustees of the Society of the Church of the United Brethren in Christ, in the said village, approved February 4, 1859,

Was read a third time and passed, two-thirds of all the Senators elect voting therefor, as follows :

### YEAS.

Mr. Backus,	Mr. Gale,	Mr. Near,	
Baldwin,	Hazen,	Owen,	
Briggs,	• Ingersoll,	Stout,	
Brown,	Lacy,	Strickland,	
Butterfield,	Lane,	Tower,	
Coulter,	McDermid,	Webb,	
DeLand,	Mulholland,	Wilder,	
French,			22

### NAYS.

Mr. Carpenter,	1
----------------	---

The title was agreed to, and the bill ordered to take immediate effect, by a vote of two-thirds of all said Senators.

Senate bill No. 47, being

A bill to amend section 12, of chapter 23 of compiled laws, relative to the obstruction of the navigation of rivers or streams declared public highways,

Was read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows :

### YEAS.

Mr. Backus,	Mr. Green,	Mr. Near,	
Baker,	Hazen,	Stout,	
Briggs,	Jones,	Strickland,	
Butterfield,	Lacy,	Tower,	
French,	McDermid,	Wilder,	15

### NAYS.

Mr. Baldwin,	Mr. Coulter,	Mr. Ingersoll,	
Brown,	DeLand,	Mulholland,	
Carpenter,	Gale,	Owen,	9

Senate bill No. 89, being

A bill to amend section 1 of an act relative to the admission of attorneys, solicitors and counsellors, approved March 31, 1859,

Came up for a third reading.

Mr. Withey, leave being granted, moved to strike out "any circuit," in the 4th line, and insert "supreme;" also, in the 6th line, strike out "in the presence of the circuit judge," and insert after the word "evidence," the words "that such applicant possesses sufficient legal knowledge and ability to discharge the duties of an attorney, and possess a good moral character;" also, strike out all thereafter;

Which motion prevailed.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

#### YEAS.

Mr. Adair,	Mr. French,	Mr. Owen,
Backus,	Gale,	Stout,
Baldwin,	Green,	Strickland,
Briggs,	Hazen,	Tower,
Brown,	Lacy,	Webb,
Butterfield,	McDermid,	Williams,
Carpenter,	Near,	Withey,
DeLand,		

x2

#### NAYS.

Mr. Baker,	Mr. Jones,	Mr. Mulholland,
Galloway,	Monroe,	Wilder,
Ingersoll,		

7

The title was agreed to.

Senate bill No. 82, entitled

A bill to amend an act entitled an act to provide for the draining and reclamation of swamp lands by means of State roads and ditches, approved February 12, 1859, by adding thereto sections 13, 14, 15, 16, 17 and 18,

Came up for a third reading, and

On motion of Mr. DeLand,

The same was recommitted to the committee on public lands.

Senate bill No. 84, entitled



A bill to amend act No. 200 of the session laws of 1859, being an act to encourage the manufacture of salt in the State of Michigan, approved February 15th, 1859,

Came up for a third reading, and

On motion of Mr. Ingersoll,

Was laid on the table, by the following vote :

## YEAS.

Mr. Adair,, Backus Baldwin, Brown, Butterfield, Carpenter, Coulter, French, Gale,	Mr. Galloway, Green, Hazen, Ingersoll, Jones, Lacy, McDermid, Mulholland, Near,	Mr. Owen, Stout, Strickland, Tower, Webb, Wilder, Williams, Withey,	26
---	---	--	----

## NAYS.

Mr. Baker, Briggs,	Mr. DeLand, Lane,	Mr. Monroe,	5
-----------------------	----------------------	-------------	---

House bill No. 104, being

A bill to organize the county of Delta, and define the boundaries of the same,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair, Backus, Baker, Baldwin, Briggs, Brown, Butterfield, Carpenter, Coulter, DeLand, French,	Mr. Gale, Galloway, Green, Hazen, Ingersoll, Jones, Lacy, Lane, McDermid, Monroe,	Mr. Mulholland, Near, Owen, Stout, Strickland, Tower, Webb, Wilder, Williams, Withey,	31
--	--	--	----

## NAYS.

0

The title was agreed to.

The Senate then adjourned.

*Lansing, Friday, March 9, 1861.*

The Senate was called to order at 9 o'clock.

Prayer by Rev. H. C. Whipple, of Hillsdale.

Roll called : a quorum present.

**PETITIONS PRESENTED.**

By Mr. Backus: sundry petitions for the repeal of the bounty on salt;

Referred to the committee on salt

By Mr. Gale: remonstrance of John Warham and 35 others, citizens of Gaines and Vernon, Genesee and Shiawassee counties; also, of J. J. Chatfield and 64 others, against the passage of an act appropriating non resident highway tax on a certain road in said town;

Referred to the committee on roads and bridges.

**REPORTS OF STANDING COMMITTEES.**

By the committee on State affairs :

The committee on State affairs, to whom was referred

A bill to apportion anew the representatives among the several counties and districts of this State,

Report that they have had the same under consideration, and herewith return it to the Senate, and recommend that it do pass.

B. G. STOUT, *Chairman.*

Report accepted and committee discharged.

Mr. Stout moved that the bill be ordered to a third reading; Pending which,

Mr. DeLand moved that the bill be recommitted to the committee on State affairs, with instructions to report a substitute for the bill apportioning representatives on the basis of a population of ten thousand.

Mr. DeLand moved the previous question, and the main question was ordered.

The motion to recommit prevailed, the following being the vote thereon :

**YEAS.**

Mr. Adair,  
Backus,

Mr. DeLand,  
Galloway,

Mr. Lacy,  
Lane,

Bailey,  
Briggs,  
Butterfield,  
Coulter,

Green,  
Hazen,  
Jones,

McDermid,  
Near,  
Webb,

16

## NAYS.

Mr. Baker,  
Baldwin,  
Brown,  
Carpenter,  
French,

Mr. Gale,  
Ingersoll,  
Monroe,  
Mulholland,  
Owen,

Mr. Stout,  
Strickland,  
Tower,  
Wilder,  
Williams,

15

Mr. Carpenter moved that the last vote be reconsidered ;  
Which motion prevailed, by the following vote :

## YEAS.

Mr. Backus,  
Bailey,  
Baker,  
Baldwin,  
Brown,  
Butterfield,  
Carpenter,  
Coulter,

Mr. French,  
Gale,  
Hazen,  
Ingersoll,  
McDermid,  
Monroe,  
Mulholland,  
Near,

Mr. Owen,  
Stout,  
Strickland,  
Tower,  
Wilder,  
Williams,  
Withey,

23

## NAYS.

Mr. Adair,  
Briggs,  
DeLand,

Mr. Galloway,  
Green,  
Jones,

Mr. Lacy,  
Lane,  
Webb,

9

The question recurring on the motion to recommit, the same  
did not prevail, the following being the vote thereon:

## YEAS.

Mr. Adair,  
Backus,  
Briggs,  
Butterfield,

Mr. Coulter,  
DeLand,  
Galloway,  
Green,

Mr. Jones,  
Lacy,  
Lane,  
Webb,

12

## NAYS.

Mr. Bailey,  
Baker,  
Baldwin,  
Brown,  
Carpenter,  
French,

Mr. Gale,  
Hazen,  
Ingersoll,  
Monroe,  
Mulholland,  
Near,

Mr. Owen,  
Stout,  
Strickland,  
Wilder,  
Williams,  
Withey,

18

The bill was ordered to a third reading by the following vote:

## YEAS.

Mr. Backus,  
Bailey,  
Baker,  
Baldwin,  
Brown,  
Butterfield,  
Carpenter,

Mr. French,  
Gale,  
Ingersoll,  
McDermid,  
Monroe,  
Mulholland,  
Near,

Mr. Owen,  
Stout,  
Strickland,  
Tower,  
Wilder,  
Williams,

20

## NAYS.

Mr. Adair,  
Briggs,  
Coulter,  
DeLand,

Mr. Galloway,  
Green,  
Jones,  
Lacy,

Mr. Lane,  
Webb,  
Withey,

11

Mr. Williams moved that the order of business be suspended, and the bill put upon its immediate passage;

Pending which,

Mr. DeLand, leave being granted, offered the following as a substitute for the bill:

Section 1. *The People of the State of Michigan enact, That the House of Representatives shall hereafter be composed of members elected agreeable to a ratio of one representative for every 8,900 white persons, and civilized persons of Indian descent, not members of any tribe, in each organized county, and one representative for a fraction equal to a moiety of said ratio and not included therein, that is to say: within the county of Wayne, eight; within the counties of Lenawee, Washtenaw and Oakland, four each; within the counties of Hillsdale, Kent, Berrien, Kalamazoo, Calhoun, Jackson, Macomb, Genesee and St. Clair, three each; within the counties of Cass, Monroe, Van Buren, Branch, Livingston, St. Joseph, Ingham, Eaton, Barry, Allegan, Ionia, Clinton, and Lapeer, two each; within the counties of Ottawa, Sanilac, Saginaw, Huron, Tuscola, Shiawassee, Ontonagon, Muskegon and Houghton, one each; the counties of Newago and Oceana shall compose a representative district, and be entitled to one representative, the election returns of which said district shall be made to the county seat of Newaygo; the counties of Montcalm, Isabella and Clare shall compose a representative district, and be entitled to one representative, the*

election returns of which district shall be made to the county seat of Montcalm ; the counties of Manistee, Mecosta, Lake, Osceola and Mason shall compose a representative district, and be entitled to one representative, the election returns of which district shall be made to the county seat of Mason ; the counties of Grand Traverse, Leelanaw, Emmett, Antrim, Otsego, Crawford, Kalkaska, Missaukee and Wexford, shall compose a representative district, and be entitled to one representative, the election returns of which district shall be made to the county seat of Grand Traverse ; the counties of Gratiot, Midland, Gladwin and Roscommon shall compose a representative district, and be entitled to one representative, the election returns of which district shall be made to the county seat of Midland ; the counties of Bay, Ogemaw and Iosco shall compose a representative district, and be entitled to one representative, the election returns of which district shall be made to the county seat of Bay ; the counties of Marquette and Delta shall compose a representative district, and be entitled to one representative, the election returns of which district shall be made to the county seat of Marquette ; the counties of Mackinac and Manistowish shall compose a representative district, and be entitled to one representative, the election returns of which district shall be made to the county seat of Mackinac ; the counties of Chippewa and Schoolcraft shall compose a representative district, and be entitled to one representative, the election returns of which district shall be made to the county seat of Chippewa ; the counties of Alcona, Ascoda, Montmorency, Alpena, Presque Isle and Cheboygan shall compose a representative district, and be entitled to one representative, the election returns of which district shall be made to the county seat of Alpena.

Mr. French moved the previous question, and the main question was ordered.

The substitute was not adopted, the following being the vote thereon :

YEAS.

Mr. Adair,  
Briggs,

Mr. Gale,  
Hazen,

Mr. Lane,  
Strickland,

Butterfield,  
Coulter,  
DeLand,

Jones,  
Lacy,

Webb,  
Withey,

13

## NAYS.

Mr. Backus,  
Bailey,  
Baker,  
Baldwin,  
Brown,  
Carpenter,

Mr. French,  
Galloway,  
Ingersoll,  
Monroe,  
Mulholland,  
Near,

Mr. Owen,  
Stout,  
Tower,  
Wilder,  
Williams,

17

The question recurring on the motion to suspend the order of business, and put the bill upon its immediate passage, prevailed, by the following vote :

## YEAS.

Mr. Backus,  
Bailey,  
Baker,  
Baldwin,  
Brown,  
Butterfield,  
Carpenter,  
French,

Mr. Gale,  
Ingersoll,  
McDermid,  
Monroe,  
Mulholland,  
Near,  
Owen,

Mr. Stout,  
Strickland,  
Tower,  
Webb,  
Wilder,  
Williams,  
Withey,

23

## NAYS

Mr. Adair,  
Briggs,  
Coulter,

Mr. DeLand,  
Galloway,  
Green,

Hazen,  
Lacy,  
Lane,

9

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Backus,  
Bailey,  
Baker,  
Baldwin,  
Brown,  
Butterfield,  
Carpenter,

Mr. French,  
Gale,  
Ingersoll,  
Monroe,  
Mulholland,  
Near,  
Owen,

Mr. Stout,  
Strickland,  
Tower,  
Wilder,  
Williams,  
Withey,

20

## NAYS.

Mr. Adair,  
Briggs,  
Coulter,  
DeLand,

Mr. Galloway,  
Green,  
Hazen,  
Jones,

Mr. Lacy,  
Lane,  
McDermid,  
Webb,

12

The title was agreed to.

Mr. DeLand gave notice that he should to-morrow move to reconsider the vote by which the bill was passed.

Mr. French moved that the vote be now reconsidered.

Mr. DeLand withdrew his notice.

Mr. French then withdrew his motion.

By the committee on reform school :

The committee on reform school, to whom was referred House bill No. 42, being

A bill to amend sections 1 and 2, of the act entitled an act to establish a house of correction for juvenile offenders, approved February 10, 1855, which act hereby amended was approved February 10, 1857,

Have had the same under consideration, report it back with sundry amendments, so amended recommend that it do pass, and ask to be discharged from its further consideration.

E. G. GALE, *Chairman.*

The report was accepted, and the report laid on the table.

By the majority of the special committee on the manufacture of salt:

The majority of the special committee on the manufacture of salt, to whom was referred so much of the message of the Governor as relates to that subject, and also Senate bill No. 8, being

A bill to amend act No. 200 of the session laws of 1859, being an act to encourage the manufacture of salt in the State of Michigan;

Also, sundry petitions praying for the repeal of the bounty on the manufacture of salt in this State, have had the same under consideration, and beg leave to report:

The geological reports of Dr. Houghton, and the experiments made in 1838, both by the State and by private enterprise, developed the existence of salt water in several sections of the State, embracing the counties of Kent, Midland, Gratiot, Clinton, Washtenaw and Macomb. The operations at Grand Rapids, in Kent county, were the most extensive, and Dr. Houghton reported that one well yielded brine, at a depth of 179 feet, that contained a bushel of salt in every eighty gallons. A large

amount of private capital was invested in preparations for manufacture, but the business proved unprofitable, and after great losses was finally abandoned, and the State of Michigan continued to draw its supply of that indispensable article from other quarters.

In 1859 an act was passed "to encourage the manufacture of salt in the State of Michigan," which offered a bounty of ten cents per bushel on all salt manufactured from water obtained by boring in this State, and exempted all property, real and personal, used for the purpose, from taxation. It, however, required the production of five thousand bushels by a claimant, before any bounty should be considered due. This provision contemplated such a thorough preparation for the business as to insure its permanence, and the good faith of the State was pledged to its assistance, with the knowledge gained twenty years previously, that without aid it could not be developed. The bounty was offered, not for the discovery of brine, but for the encouragement of the manufacture of salt.

Under the inducements of the law, attention was once more directed to the salines of our State, and capitalists engaged in their development, both at Grand Rapids and on the Saginaw river. Reports of their success were circulated in the spring of 1860, showing the development of brine of great strength, and very sanguine predictions were made by those interested, and by the local press. The facts elicited by the enquiries of your committee do not show that these were fulfilled, and further show the reason for the disappointment.

Fourteen wells have been sunk to a greater or less depth, six of which are at Grand Rapids and eight on the Saginaw River. At the former place their average depth is from 400 to 500 feet. Most of this distance the wells are sunk in solid rock. The capital expended at Grand Rapids is about \$25,000, and on the Saginaw, about \$70,000. The message of Governor Wisner states the total production of salt at Grand Rapids, up to the 1st of January, 1861, at 230 barrels; and at East Saginaw at 22,500 bushels. The latter is the products of the



works of the East Saginaw Salt Manufacturing Company, the only company from whose works any salt has been manufactured on the Saginaw river. The small amount reported, compared with the production expected, calls for an explanation, and it is found in the fact that the ordinary tests of the strength of brine are affected by chemical constituents of the water, which, while they increase its specific gravity, detract from the proportion of pure saline properties, and are obstacles in the production of the best salt at the cheapest rate.

It is this fact that explains the failure to make salt from brine found at St. Catharines, Canada, of great strength, as shown by the salometer, the usual instrument for measuring the strength of salines; while chemical analysis shows it to be almost wanting in pure salt. It is this fact that informs us why the water of the Dead Sea has a great specific gravity, and yet is unfit for the production of salt. The impurities are such as are common to all brines, and in ordinary degrees, are consistent with the manufacture of a very pure salt. The Turk's Island salt, preferred very generally for packing purposes, is made from sea water, which is more highly impregnated with the same foreign matter than even the Michigan brines; and while this chemical element is no obstacle to the cheap manufacture by solar heat in earth reservoirs on an immense scale, as in the case of that salt, it is yet a formidable one to the manufacture by artificial heat, or by solar heat in structures such as are used at Onondaga. So serious is the difficulty that at Saginaw it involves an expensive loss of brine, and great care to produce a merchantable article; and capitalists in that section are looking to improved methods, and the expenditure of a large sum of money for the erecting of structures for solar evaporations.

At Grand Rapids, where the impurities seem to exist in as large proportions, it has been found as yet impossible to produce salt in any quantity at any reasonable cost.

The cost of the salt made at East Saginaw is stated at not

far from 90 cents per barrel. The Superintendent of the Onondaga Salt Springs, in New York, reported in 1858 (report, page 6), that the cost of a barrel of fine salt was \$1 05, in ascertained and actual outgoes, upon every barrel of fine salt produced on the reservation; and in addition, that there were annual charges upon each block (50 to 60 kettles), of \$100 to \$150, besides interest on the capital invested. Since that time the use of coal in place of wood, and the improvements suggested by science and experience have reduced the cost somewhat.

It is probably fair to say that, taking into account the fact that for a duty of one cent per bushel the State of New York furnishes, without further charge, brine of good quality, pumped from State wells, ready for use, and the manufacturer has no outlay to make beyond the erection of his building; while in Michigan he is required to sink his own well in solid rock, and make large outlays for machinery and reservoirs, and the cost of producing a barrel of salt here is as great at least as at Syracuse, although wood at present is cheaper.

As the good faith of the State is pledged by the act of 1859 to the policy of encouragement, it may be profitable to refer to the history of the important salines of the State of New York, and trace the line of legislation that led to the establishment of that great interest. The State purchased of the Onondaga Indians, in 1795, "the Salt Lake, and one mile around it," and an additional two thousand acres for the annuity of \$700, and 150 bushels of salt—one of those bargains that white men have had a habit of making with Indians.

In consideration of the development of the springs by the State, the producer was taxed three cents per bushel of salt, till 1817, when it was raised to 12½ cents per bushel, and so continued till 1834. This large duty was rendered less burdensome to the producer, by the very high tariff on foreign salt imported, which was 20 cents per bushel from 1798, to 1807; the same from 1812 to 1830; 15 cents in 1831, and 10 cents in 1832 and '33. By the constitution of 1821, the Legislature was forbidden to reduce the duty until the canal debt was paid. It

was amended in 1833, and the Legislature was authorized to reduce the duty to six cents per bushel. It was reduced, and so continued until 1846. After 1834, the tariff on foreign salt had been reduced so far as to lessen its cost in the markets where it met the Onondaga salt, and the consequence was, that the market for the latter became so restricted that relief was sought from the Legislature. In 1843, an act was passed for the purpose of creating a market, and of increasing the revenues of the State, by which a bounty was to be paid, of seven cents and six mills on every bushel of salt delivered at Troy and Albany, five cents on every bushel delivered at Lafayette, in Indiana; or at Newark, Portsmouth or Beaver, in Ohio; four cents on every bushel delivered upon any navigable waters in Pennsylvania, by way of Owego, Elmira, Damesville or Binghampton, two cents on every bushel carried on the Erie canal to Buffalo, and delivered at any points beyond the limits of the State, and four mills on every bushel shipped from Oswego to any point beyond the limits of the State. This enabled the salt interest to extend its market considerably in every direction, and in 1846, the restrictions of the constitution having been removed by the payment of the canal debt, the duty was reduced to one cent per bushel, and the policy of the State was defined and adopted to impose no farther duty than was required to meet the current expenses of the State in operating the wells, and it was determined to abandon the idea of making the salt interest a source of revenue. With the encouragement of the act passed in 1846, which, while it repealed the bounty act, reduced the duty to one cent per bushel, the sale was extended rapidly, but the market was confined by the laws of trade to districts bordering on and connecting, by railroads and canals, with the western lakes. The amount reaching tide water has steadily decreased, and is hardly an item of trade, owing to the competition of foreign salt, imported as ballast, and coming up the Hudson. The same salt seeks a market up the St. Lawrence, and entering the Mississippi at New Orleans, pushes up to supply the west in immense quantities. South of Lake Erie, the

Ohio and Virginia salt, produced to the extent of 5,000,000 of bushels yearly, struggles vigorously for the markets to which its location entitles it. Another market of the Onondaga salt is to be found in the valleys of the lakes to such an extent that a line drawn north and south through Detroit and Toledo would find three-fourths of the entire sales to the westward of it. In 1859, of the entire production, 6,894,272 bushels, there were delivered at Buffalo, 2,008,127 bushels, and at Oswego, 3,500,000 bushels, nearly all which sought a market in western ports. We quote from the report of the Superintendent of the salt springs for 1859, to show the remarkable facilities enjoyed by this interest for reaching a western market: "It is curious to observe, as the elements of internal trade and commerce have unfolded themselves, how fortunately the New York salt springs have been located. They are virtually at the point where the great lake marine discharges its bulky freight destined for an eastern market, by canal or railway transportation, and require a return commodity, rather to be conveyed at the lowest rates in preference to not being taken at all. Instances have occurred during the past year in which salt has been taken to Buffalo from Syracuse for five cents per barrel, and five cents per barrel has been paid for it as ballast by the ship owners on the lakes. The largest portion of our salt, shipped to Chicago and other points west during the past year, by Oswego and the Welland canal, has been carried the entire distance for eight to ten cents per barrel. Onondaga salt may be purchased for a lower price in the ports of Lake Michigan, than it can be at Caronovia, twenty miles distant from the works."

In his report for 1860, he says: "It is not only the dictate of wisdom, but it is a public and patriotic duty to foster, by all reasonable means, the fullest development of this great and benign provision of nature. The consumption of salt is a measure of civilization and of material prosperity and comfort."

In the opinion of a majority of your committee, the suggestions are pertinent, and the facts are controlling. Can that which is wise policy in the Empire State, as shown by the grad-

ual developments for sixty years, be an unwise policy for Michigan? In the face of facts, can we expect a feeble interest, laboring under natural disadvantages, located where the current of trade is unfavorable to cheap transportation, and depending entirely on private enterprise, to develop itself unaided, in competition with the vast interests whose growth has been fostered by the wealth, and guarded by the legislation of New York, for more than half a century? The duty charged on salt, by that State, *now*, is worth more to the producer than a large bounty would be, without the benefits for which that duty pays. *That five cents per barrel* relieves the producer of the cost and risk of finding brine; it places in his hands an almost unlimited supply. In the resources of the State, he is presented with the fullest information for his guidance in manufacture. He receives upon his salt the official brand of the State, certifying that it is well and properly made; and he sends it at a nominal cost, into a market created and guarded for him by careful legislation.

The sum that he pays is less than the cost to a Michigan producer of running his engine to pump his brine, after at his own expense, he has found it, and built structures and machinery to raise and store it.

And yet this market is held, by the New York salt, by a tenure so feeble, that in a strong remonstrance presented to the Legislature by the salt interests of Syracuse, now merged into one organization, which embraces and controls the entire capital on the reservation, \$2,500,000—it is contended that the competition is so active that an increase of duty of one cent per bushel would take from them their markets in the West. They are obliged now to limit the production to less than one-half of the capacity of the works erected, for want of market.

To add one more fact in illustration of the difficulty of creating and holding a market: During nine years, between 1844 and 1860, the average price of salt at Syracuse was 87 cents per barrel, owing to the competition among producers. During the other seven years, when the producers combined to restrict

the quantity made and fix the price, it averaged \$1 22. Syracuse salt was sold in Chicago in 1849-'50 and '51, at from 70 to 90 cents per barrel. These were not remunerative prices. Would that fact deter the New York combination from a determined effort to close markets of Detroit and Chicago, and all others on the Lakes, against a new candidate for its share of trade?

The Ohio and Virginia salt is cheaply made, owing to the fact that coal and brine are found together, and their furnaces are supplied at a cost of three cents for a bushel of coal.

A majority of your committee believe that the State is bound in good faith to those who have embarked in this expenditure, under the law, and by the demands of good policy, to give a liberal encouragement to the salt interests. It is a production that reaches every person within the limits of civilization, and is as indispensable to him, and to his cattle, and to his farm, as air, and water, and light. The average consumption in the United States is estimated at 60 pounds per head of the population; in Great Britain, 25 lbs. per head; in France, 22 lbs. per head. Its uses in agriculture, which are extending every year of experience; the certainty of employment which its production will ensure in our midst; the cheapening of the commodity, so universally consumed; the aid its manufacture will render in clearing our wilderness of its forests for fuel; the incident benefits to all branches of trade and industry; the increase in value of taxable property in the districts where production is extensive, all urge upon this Legislature the policy of encouragement, to the fullest extent consistent with the welfare of the State in other departments. Our Legislation should look beyond temporary embarrassments, to the ultimate effects of our action on the interest we are sent here to guard and protect, and we submit whether, in fostering this important manufacture, we are not acting for the growth and prosperity of our State most directly and certainly.

The majority of your committee are led to the conclusion that the present bounty should not be repealed, as to those persons,

companies and corporations, as are already engaged in the business, or have commenced operations; and that as to such there should be no modification which will reduce the bounty in the aggregate below seven thousand dollars, as contemplated by House bill No. 118, and that the law should be modified so as to give this bounty to only those persons, companies and corporations, as may engage in the business prior to the 1st of January, 1862.

With this expression of their views, the majority of your committee report back the various bills referred to them, with the petitions, and ask to be discharged from the further consideration of the subject.

JOHN N. INGERSOLL,  
S. L. WITHEY.

The report was accepted, laid on the table and ordered printed.

Mr. Owen, the minority of the committee, gave notice that he should ask leave to make a minority report.

Mr. DeLand moved that the consideration of the several bills on the subject of salt, be made the special order for to-morrow morning at ten o'clock.

Which motion prevailed.

The Senate took a recess till this afternoon at 2 o'clock.

---

AFTERNOON SESSION.

The Senate was called to order at 2 o'clock.

Roll called: quorum present.

The Senate resumed business in the order of

REPORTS OF STANDING COMMITTEES.

By the committee on federal relations:

The committee on federal relations, to whom was referred joint resolution, proposing amendments to section one of article seven of the Constitution of this State, relative to elections; also, the petition of Mrs. Matilda N. Lamb and 36 others, as well as the petition of Mrs. M. A. Parker and 25 others, ladies

and citizens of the State of Michigan, report, that the petitioners request such an amendment to the Constitution, as will permit females to exercise the right of suffrage; and they assume that this right cannot be denied them without violating the following maxims of our government:

1st. That all, male and female, are born free and equal.

2nd. That government derives its just powers from the consent of the governed.

3d. That taxation and representation are inseparable.

It will be readily admitted that the fair petitioners are now governed, if governed at all, without their consent. That they are taxed, if taxed at all, without having any elective voice in the election of the Representatives through whose legislation taxes are imposed. That while they are born free and equal with the rest of mankind, yet their birth-right of freedom and equality is withheld from them. This state of things, in the opinion of your committee, ought not to exist. It is unjust and wrong; and your committee believe that the request of the petitioners cannot be denied to them upon principle. They, therefore, return the petitions, and also the joint resolution to the Senate, with the recommendation that the resolution be adopted, and pray to be discharged from the further consideration of the subject.

All of which is respectfully submitted.

JOHN N. INGERSOLL, *Chairman.*

The report was accepted, the committee discharged, and the joint resolution referred to the committee of the whole, and placed on the general order.

By the committee on internal improvements:

The committee on internal improvements, to whom was referred House bill No. 85, being

A bill to provide for the drainage of swamps, marshes, and other low lands,

Have had the same under consideration, and have given the whole bill a patient and careful consideration. They have amended the bill in several particulars and have attached said



amendments to the bill which is hereby reported back to the Senate, with the recommendation that when amended in accordance with the views of your committee the bill do pass, and your committee ask to be discharged from the further consideration of the subject.

J. CARPENTER, *Chairman.*

The report was accepted, the committee discharged, the amendments concurred in, and the bill ordered to a third reading.

By the committee on public lands :

The committee on public lands, to whom was referred the following bills, to wit:

1. A bill appropriating swamp lands to improve the State road leading west from Dowagiac, in the county of Cass, to the village of Berrien;

2. A bill to provide for the construction of a State road from the north shore of White Lake, in Muskegon county, to the south branch of Pentwater river, in Oceana county;

3. A bill appropriating swamp lands for the erection of a bridge over the St. Joseph river, in St. Joseph county;

4. A bill appropriating swamp lands for the benefit of Adrian College;

5. A bill to appropriate certain swamp lands for the improvement of the meridian line road, from the corporation of the village of Hudson, in Lenawee county, to the State line;

6. A bill appropriating certain swamp lands for building a road leading from Sebawaing, in Huron county, to Watrous-ville, in Tuscola county;

7. A bill appropriating swamp lands for opening and improving a road leading from the Huron and Bay City State road, to the village of Tuscola;

8. A bill to appropriate swamp lands for the building and improving the road and bridges from the village of Blissfield, in Lenawee county, to Ottawa, in Monroe county;

Respectfully report they have had the same under considera-

tion, and report the same back to the Senate, with a recommendation that they do not pass, and ask to be discharged from the further consideration of the same.

EZRA HAZEN, *Chairman*.

The report was accepted, the committee discharged, and the bill, laid on the table, and ordered printed.

By the committee on public lands:

The committee on public lands, to whom was referred the following bills :

A bill to lay out a State road from Ionia, in the county of Ionia, to Bellevue, in the county of Eaton, and appropriating certain swamp lands for the same.

Also,

A bill making appropriations of State swamp lands for the improvement of roads in the counties of Wayne and Monroe,

Respectfully report the same back to the Senate without amendment and without recommendation, and ask to be discharged from the further consideration of same.

EZRA HAZEN, *Chairman*.

The report was accepted, the committee discharged, and the bills laid on the table and ordered printed.

By the committee on public lands :

The committee on public lands, to whom was recommitted

A bill appropriating certain swamp lands for building roads in the Upper Peninsula,

With instructions to amend the same so as to provide for the appointment of a board of commissioners, consisting of five persons,

Respectfully report the same back to the Senate with the amendments as instructed. Your committee recommend that the Senate do not concur in said amendments. Your committee are of the opinion the appointment of said board of commissioners would increase the expenses attending the carrying out the provisions of the bill, and great inconvenience and delay would be experienced. That the appointment of one commissioner in each county in which the road is to be built, to have

charge of the road in their respective counties, as provided in the bill, is far the best policy.

All of which is respectfully submitted.

EZRA HAZEN, *Chairman.*

The report was accepted, the committee discharged, the amendments not concurred in, and the bill ordered to a third reading.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill for the collection of damages sustained by defective bridges on the public highways,

Have had the same under consideration, and the majority of the committee report that by existing laws commissioners and overseers of highways are liable to fines of \$10 each for neglect of duties, and are also liable to a fine of \$50 each for any deficiency in the highways within their limits, occasioned or continued by their fault or neglect; that they deem this sufficiently stringent, and that in their opinion the passage of such a law as provided in the bill would lead to endless litigation, and operate very injuriously in the new portions of the State, and therefore report the bill back to the Senate with a recommendation that it do not pass, and ask to be discharged from the further consideration of the subject.

N. GREEN, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on manufactures:

The committee on manufactures, to whom was referred

A bill to prevent the adulteration of coal oil,

Report that they have had the same under consideration, and respectfully report the same back to the Senate, and recommend that it do pass, and ask to be discharged from the further consideration of the same.

D. G. WILDER, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred the memorial and affidavits of the directors of the Jackson and Michigan plank road company, and also numerous other petitions and affidavits relative to said road,

Have had the same under consideration, and respectfully report that the affidavits, if true, go far to disprove the material facts set forth in the testimony presented to your committee on the 30th day January last, both as to the grade of the hills and the general condition of the road. The affidavits show that the grades of the hills on the south 10 miles of the road have been taken, during the past year, by a civil engineer, with suitable instruments; and that the grades are all within the requirements of the law.

The directors of the company ask to withdraw their memorial heretofore presented, asking the privilege of abandoning that part of their road which lies between Berry's Bridge and Eaton Rapids, and disclaim having anything to do with the ferry over Grand River. Your committee are of opinion that if the company would faithfully keep up their road from Jackson to Eaton Rapids, according to the conditions of their charter, it would be in accordance with the public interest, and with the wishes of a large portion of the inhabitants in the country through which the road passes.

Your committee report the accompanying papers back to the Senate, without recommendation, and ask to be discharged from the further consideration of the subject.

All of which is respectfully submitted.

N. GREEN, *Chairman*.

The report was accepted, the committee discharged, and the memorial and affidavits laid on the table.

By the committee on towns and counties:

The committee on division of towns and counties, to whom was recommitted House bill No. 111, being

A bill to change the boundary of the county of Houghton, and establish the county seat thereof,

Report the same back, amended as instructed by the Senate, and ask to be discharged.

CHARLES V. DeLAND, *Chairman*.

The report was accepted, the committee discharged, the amendments concurred in, and the bill ordered to a third reading.

By the same committee:

The committee on division of towns and counties, to whom referred House bill, being

A bill to organize the township of Hancock, in Houghton county,

Respectfully report the same back to the Senate, amended by adding two amendments organizing another township, to be called Bendry. This amendment is made to more fully equalize the municipal and business interests of the county, and enable the people to participate more fully in the organization of the new county. As thus amended, the committee recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

CHARLES V. DeLAND, *Chairman*.

The report was accepted, committee discharged, and the bill ordered to a third reading.

#### MESSAGE FROM THE GOVERNOR.

The President announced a message from the Governor, on executive business; whereupon

The Senate went into executive session.

The executive session closed.

#### MESSAGES FROM THE OTHER HOUSE:

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 7, 1861. }

To the President of the Senate:

SIR:—I am instructed to return to the Senate the following entitled bill:

A bill to assess a special tax for the improvement of the meridian line road, between Lenawee and Hillsdale counties;

To which the House has made the following amendments:

Strike out in section 2, line 1, the words "five" and "eight," and in line 2, the words, "seventeen," "twenty" and "twenty-nine," and in line 3, the words "five" and "eight ;"

Strike out in line 3, of section 3, the words "of highways of township in which said tax is levied and collected," and insert in place thereof the words, "appointed by this act;"

Strike out section 4, and insert the following in lieu thereof:

Sec. 4. William W. Brewster, of the township of Wright, Hillsdale county, and Prichard H. Osborne, of the township of Medina, Lenawee county, be and they are hereby appointed commissioners, whose duty it shall be to use said tax to repair and improve the meridian line road, situated on the line between said townships, and said commissioners shall receive for services, actually performed as such commissioners, the sum of one dollar per day, to be paid out of the fund created by this act;

In the passage of which, as amended, the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the amendments were concurred in by the following vote :

YEAS.

Mr. Adair,	Mr. French,	Mr. Near,	
Baker,	Gale,	Owen,	
Baldwin,	Green,	Stout,	
Briggs,	Jones,	Strickland,	
Brown,	Lacy,	Tower,	
Butterfield,	Lane,	Webb,	
Carpenter,	McDermid,	Wilder,	
Coulter,	Monroe,	Williams,	
DeLand,	Mulholland,	Withey,	27

NAYS.

0

And the bill was ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, March 8, 1861.* }

*To the President of the Senate:*

SIR:—I am instructed to inform the Senate that the House has appointed Messrs. Fallas, Childs, Goodrich, Woodward and Wheeler as a committee to confer with the committee appointed on the part of the Senate on the disagreement between the two Houses on Senate bill, entitled

A bill to re-organize the Agricultural College of the State of Michigan, and to establish a State board of agriculture.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, March 7, 1861.* }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following entitled bill :

A bill to incorporate the village of Constantine,

Which the House has amended by striking out the words "direct the recorder of said village," in line 9, section 16, and inserting in lieu thereof the words, "apply to any justice of the peace of the township of Constantine;"

Also by striking out the word "any" in the 12th line of the same section where it first occurs, and inserting the word "said" in place thereof ;

Also by striking out all of section 22;

In the passage of which, as amended, the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the amendments were concurred in, by the following vote :

## YEAS.

Mr. Adair,	Mr. French,	Mr. Near,	
Baker,	Gale,	Owen,	
Baldwin,	Green,	Stout,	
Briggs,	Jones,	Strickland,	
Brown,	Lacy,	Tower,	
Butterfield,	Lane,	Webb,	
Carpenter,	McDermid,	Wilder,	
Coulter,	Monroe,	Williams,	
DeLand,	Mulholland,	Withey,	27

## NAYS.

0

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, March 7, 1861.* }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following entitled bill:

A bill to amend chapter 22 of the compiled laws, entitled, of limited partnerships,

Which the House has amended by inserting after the word "withdrawn," in line 6, of recited section 21, the words "or in any way diminished;" also, by inserting after the word "chapter," in line 7, of same section, the words "or in any way impair the value of the same;" also, by striking out all after the words "any other creditor might have," in recited section 34;

In the passage of which, as amended, the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the amendments were concurred in by the following vote:

## YEAS.

Mr. Adair,	Mr. Gale,	Mr. Near,
Baker,	Green,	Owen,
Baldwin,	Hazen,	Stout.
Briggs,	Jones,	Strickland,



Brown,	Lacy,	Tower,	
Butterfield,	Lane,	Webb,	
Coulter,	McDermid,	Wilder,	
DeLand,	Monroe,	Withey,	
Mr. French,	Mulholland,		26
	NAYS.		0

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, March 7, 1861.* }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following entitled bill:

A bill to amend sections 2014 and 2017 of the compiled laws, in reference to religious societies so as to authorize the recording of articles of association, and to give the trustees, wardens and vestrymen authority to execute securities upon church property in certain cases,

In the passage of which, the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, March 7, 1861.* }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following entitled bill :

A bill to amend sections 4339, 4340, 4341 and 4342, of the compiled laws, in relation to the competency of witnesses, and examination of parties, in certain cases;

Which the House has amended by inserting in the second of the three inserted lines, in recited section 4339, after the word "interest," the word "relationship;" and before the word "crime," in the next line, the words "conviction of;"

And by adding a new section to the bill, to stand as section 5, as follows:

"Section 5. So much of all acts or parts of acts on the same subject, as are inconsistent with the provisions of this act, are so hereby repealed;"

In the passage of which, as thus amended, the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the amendments concurred in by the following vote :

YEAS.

Mr. Adair,	Mr. French,	Mr. Mulholland,	
Backus,	Gale,	Near,	
Baker,	Green,	Owen,	
Baldwin,	Hazen,	Stout,	
Briggs,	Jones,	Strickland,	
Brown,	Lacy,	Tower,	
Butterfield,	Lane,	Webb,	
Carpenter,	McDermid,	Wilder,	
Coulter,	Monroe,	Withey,	27

NAYS.

0

On motion of Mr. Withey,

The bill was ordered to take immediate effect by a vote of two-thirds of all the Senators elect.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. French moved that the committee of the whole be discharged from the further consideration of House bill No. 89, being

A bill to provide for the registration of births, marriages and deaths;

Which motion prevailed.

On motion of Mr. Carpenter,

The bill was laid on the table.

Mr. Hazen moved to take from the table House bill to amend the charter of the city of Port Huen;

Which motion prevailed, and the bill ordered to a third reading.

Mr. Near moved to reconsider the vote by which the bill, entitled

A bill to provide for the manner of equalizing the assessment rolls by the board of supervisors of the county of Wayne,  
Was not passed.

Pending which,

Mr. Carpenter moved a call of the Senate;

Which call was sustained, and, upon roll-call, Senators Baker, Briggs, Hazen and Williams reported absent without leave.

The Sergeant-at-Arms reported the Senators at the bar of the Senate, and they were severally permitted to render their excuses and take their seats.

On motion of Mr. DeLand,

Further proceedings under the call were dispensed with.

The motion to reconsider prevailed, and the bill was passed, a majority of all the Senators elect voting therefor, as follows:

#### YEAS.

Mr. Adair,	Mr. Hazen,	Mr. Near,	
Baker,	Jones,	Owen,	
Briggs,	Lacy,	Tower,	
Butterfield,	Lane,	Webb,	
Carpenter,	McDermid,	Wilder,	
DeLand,	Mulholland,	Williams,	
Galloway,			19

#### NAYS.

Mr. Backus,	Mr. Coulter,	Mr. Stout,	
Bailey,	French,	Strickland,	
Baldwin,	Gale,	Withey,	
Brown,	Monroe,		11

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

Mr. Williams moved that the committee of the whole be discharged from the further consideration of the bill to repeal act 148, session laws of 1859, relative to University;

Which motion prevailed.

The bill was made the special order for Monday, at 2 o'clock P. M.

On motion of Mr. Tower,

Senate bill, entitled

A bill to amend section 1, of an act entitled an act to provide for the drainage and reclamation of swamp lands, by means of State roads and ditches, being act No. 117 of the session laws of 1859,

Was taken from the table.

On motion of Mr. Withey,

The Senate concurred in the amendments of the House, by the following vote:

YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,

Mr. Coulter,  
Gale,  
Green,  
Hazen,  
Jones,  
Lacy,  
Lane,  
McDermid,  
Monroe,

Mr. Near,  
Owen,  
Stout,  
Tower,  
Webb,  
Wilder,  
Williams,  
Withey,

26

NAYS.

Mr. DeLand,

Mr. French,

Mr. Galloway,

3

And the bill was ordered to be enrolled.

Mr. DeLand moved to take from the table Senate bill No. 136, being

A bill to regulate interest, the loaning of money, to prevent the taking of usury, and to secure persons loaning money against fraud;

Which motion prevailed.

Mr. DeLand moved to amend section 5, by striking out in line 1, the words "offending against the provisions of this act shall be compelled," and insert, "who is a party to any contract made in violation of this act may be required"; also, add to line four the words, "or in any suit involving the question of the violation of this act;"

Which motion prevailed.

Mr. Gale moved to amend section 1, by striking out all after the word "time," in the 5th line ;

Which motion prevailed, by the following vote :

## YEAS.

Mr. Adair,	Mr. Coulter,	Mr. Near,	
Backus,	French,	Owen,	
Bailey,	Green,	Stout,	
Baker,	Jones,	Strickland,	
Baldwin,	Lane,	Tower,	
Briggs,	McDermid,	Wilder,	
Brown,	Monroe,	Withey,	
Butterfield,	Mulholland,		23

## NAYS.

Mr. Carpenter,	Mr. Galloway,	Mr. Lacy,	
DeLand,	Hazen,	Williams,	6

Mr. Stout moved to strike out "seven," in the third line of section one, and insert "three."

Mr. French moved to amend by inserting "six;"

Which motion did not prevail.

The question recurring on the motion to strike out and insert, did not prevail, the following being the vote thereon :

## YEAS.

Mr. Backus,	Mr. Jones,	Mr. Owen,	
Bailey,	Monroe,	Stout,	
Baldwin,	Mulholland,	Tower,	
Brown,	Near,	Withey,	
Carpenter,			13

## NAYS.

Mr. Adair,	Mr. French,	Mr. McDermid,	
Baker,	Galloway,	Strickland,	
Briggs,	Green,	Webb,	
Butterfield,	Hazen,	Wilder,	
Coulter,	Lacy,	Williams,	
DeLand,	Lane,		17

Mr. Withey moved to strike out "no," being the first word of section 2, and insert "every;" also, strike out all after the word "void," in the third line of the same section.

Mr. Bailey moved the previous question, and the main question was ordered.

The pending motion did not prevail, the following being the vote thereon :

## YEAS.

Mr. Adair, Backus, Bailey, Carpenter, Coulter,	Mr. Gale, Galloway, Jones, Monroe, Mulholland,	Mr. Near, Owen, Strickland, Withey,
--	--	--

14

## NAYS.

Mr. Baker, Briggs, Brown, Butterfield, DeLand,	Mr. French, Green, Lacy, Lane, McDermid,	Mr. Stout, Tower, Webb, Wilder, Williams,
--	--	---

15

Mr DeLand moved that the following be added to section 1:  
"but it shall be lawful for parties to stipulate in writing for  
any rate of interest not exceeding ten per cent.;"

Which motion did not prevail.

Mr. DeLand moved to reconsider the vote by which the last  
motion was lost ;

Which motion did not prevail.

Mr. Baldwin moved that the order of business be suspended,  
and the bill put upon its immediate passage ;

Which motion prevailed.

The bill was then read a third time and not passed, a major-  
ity of all the Senators elect not voting therefor, as follows:

## YEAS.

Mr. Baker, Butterfield, DeLand, Galloway,	Mr. Green, Lacy, Lane,	Mr. McDermid, Webb, Williams,
--	------------------------------	-------------------------------------

10

## NAYS.

Mr. Adair, Backus, Bailey, Baldwin, Briggs, Brown, Carpenter,	Mr. Coulter, French, Gale, Jones, Monroe, Mulholland, Near,	Mr. Owen, Stout, Strickland, Tower, Wilder, Withey,
---	---	--

20

On motion of Mr. Bailey,

Senate bill No. 134, entitled

A bill to amend an act entitled an act to provide for laying out a State road in Ionia, Kent and Barry counties, approved February 12th, 1859, and to make an appropriation of swamp land to aid in the construction of said road,

Was taken from the table.

On motion of Mr. Bailey,

Snndry amendments were made and the bill was ordered to a third reading.

On motion of Mr. Carpenter,

The vote by which Senate bill No. 47 was not passed, was reconsidered, and the same was laid on the table.

On motion of Mr. Carpenter,

Senate bill No. 103 was taken from the general order and placed on the order of third reading.

On motion of Mr. Wilder,

The committee of the whole was discharged from the further consideration of Senate bill No. 88.

Mr. Wilder offered a substitute for the same.

Which was adopted, and ordered to a third reading.

Mr. Baldwin moved to take from the table House bill No. 99, and place it on the order of third reading;

Which motion prevailed.

Mr. Monroe moved that the committee on State prison be required to report, without delay, upon certain resolutions referred to said committee, in relation to the constitutionality of employing the convicts in said prison in mechanical trades; and further to report as to the propriety and safety of changing the present system of labor and employment of such convicts, and to employ them in smelting and manufacturing iron from the ores of this State;

Which motion prevailed.

Mr. Monroe moved that the committee on public instruction be required to report, without delay, on the bill to repeal an act to furnish the *Michigan Journal of Education* to school districts,

which bill was referred to said committee for their consideration;

Which motion prevailed.

Mr. Briggs moved to discharge the committee of the whole from the further consideration of Senate bill No. 106, entitled

A bill to regulate the payment of entry fees in certain cases,

And to place the same on the order of third reading;

Which motion prevailed.

Mr. Strickland moved that the committee on finance be required to report on a resolution from the House relative to compensation of fireman.

Which motion prevailed.

On motion of Mr. Webb,

The committee of the whole was discharged from the further consideration of House bill No. 19,

And the same was placed on the order of third reading.

Mr. Lane moved to take from the table

A bill to amend section 9, of chapter 17 of the compiled laws, relative to assessing property at its true value;

Which motion did not prevail.

Mr. McDermid moved to take from the table Senate bill No. 115, and place the same upon the order of third reading;

Which motion prevailed.

Mr. Williams moved to reconsider the vote by which

A bill to repeal act No. 143, session laws of 1859, relative to the University interest fund,

Was made the special order for Monday, at two o'clock;

Which motion prevailed, by the following vote :

#### YEAS.

Mr. Baker,  
Butterfield,  
Carpenter,  
DeLand,  
Gale,

Mr. Green,  
Jones,  
McDermid,  
Monroe,  
Near,

Mr. Stout,  
Strickland,  
Tower,  
Wilder,  
Williams, 15

#### NAYS.

Mr. Adair,  
Backus,  
Baldwin,

Mr. Coulter,  
Galloway,  
Lane,

Mr. Mulholland,  
Owen,  
Webb,



Briggs,  
Brown,

Lacy,

Withey,

13

The question recurring upon the motion to make the bill the special order for Monday, at two o'clock, the same prevailed by the following vote :

#### YEAS.

Mr. Adair,  
Backus,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,

Mr. Coulter,  
Gale,  
Green,  
Lacy,  
Lane,

Mr. Mulholland,  
Near,  
Stout,  
Webb,  
Withey,

16

#### NAYS.

Mr. Baker,  
Carpenter,  
DeLand,  
French,

Mr. Jones,  
McDermid,  
Monroe,  
Strickland,

Mr. Tower,  
Wilder,  
Williams,

11

Mr. Brown moved to take from the table Senate bill 64, being A bill to amend an act entitled an act to provide a military fund in aid of the uniformed volunteer militia, approved February 14, 1859,

And that it be placed on the order of third reading;  
Which motion prevailed.

The Senate took a recess till 7½ o'clock.

#### EVENING SESSION.

The Senate was called to order at 7½ o'clock.

Roll called : a quorum present.

Mr. Strickland, leave being granted, made the following report:

The committee of conference appointed by the Senate upon the matter upon the disagreement between the two Houses, as to amendment made by the House in Senate bill No. 79, inserting the name of Silas A Yerkes, of Kent county, in place of George M. Germain, of Ionia county, report that they have met a like committee from the House, and that the joint committee have agreed to recommend that the Senate recede from its refusal to concur in said amendment.

Therefore, said bill is herewith returned to the Senate with the recommendation that the Senate recede from its refusal to concur in said amendment.

R. STRICKLAND, *Chairman*.

The report was accepted, and the committee discharged.

Mr. Brown moved that the Senate concur in the amendment of the House;

Which motion prevailed by the following vote:

YEAS.

Mr. Adair,	Mr. Coulter,	Mr. McDermid,
Backus,	DeLand,	Monroe,
Bailey,	Gale,	Mulholland,
Baker,	Galloway,	Near,
Baldwin,	Green,	Strickland,
Briggs,	Hazen,	Tower,
Brown,	Jones,	Williams,
Butterfield,	Lacy,	Withey,
Carpenter,	Lane,	

26

NAYS.

0

The bill was ordered enrolled.

Mr. Williams moved that

A bill to amend act No. 176, of session laws of 1859, being act for protection of game in the State of Michigan,

Be taken from the general order, and recommitted to committee on State affairs;

Which motion prevailed.

Mr. Withey moved to take from the table Senate bill No. 51, being

A bill to amend certain sections of the primary school laws;

Which motion prevailed.

And the bill was ordered to a third reading.

Mr. Owen moved to discharge the committee of the whole from the further consideration of Senate bill No. 122, being

A bill authorizing the commissioner of the land office to confirm certain sales of land made August 5, 1859;

Which motion prevailed, and the bill was ordered to a third reading.

Mr. Coulter moved that Senate bill No. 107 be taken from the table;

Which motion prevailed.

On motion of Mr. Coulter,

Sundry amendments were made, and the bill was ordered to a third reading.

Mr. Coulter moved to take from the table Senate bill entitled

A bill to repeal chapter 83, of the compiled laws of 1857, of the interest of the State in mines and minerals;

Which motion prevailed, and the bill was referred to the committee on the judiciary.

Mr. Gale moved that Senate bill No. 110 be taken from the general order, and the committee of the whole discharged from its further consideration;

Which motion prevailed.

Mr. Gale offered a substitute for section one:

Which was adopted, and the bill was ordered to a third reading.

Mr. Carpenter moved to take from the table Senate bill No. 88, being

A bill making appropriations for the support of the State Agricultural College ;

Which motion prevailed.

Mr. Williams moved the following substitute :

Section 1. *The People of the State of Michigan enact*, That there be, and there is hereby appropriated out of the Treasury of the State, the sum of eight thousand dollars, for the use and support of the State Agricultural College, during the year 1861; and the further sum of twelve thousand dollars, for the use and support of the State Agricultural College, during the year 1862.

Sec. 2. The further sum of one thousand dollars per annum is hereby appropriated for the years 1861 and 1862, for salary of the secretary of the State Board of Agriculture, and twelve hundred dollars per annum for the years 1861 and 1862, for expenses of the office of the said secretary, and the expenses of the State Board of Agriculture.

Sec. 3. The further sum of two thousand dollars per annum is hereby appropriated for the use of the State Agricultural Society, for the years 1861 and 1862.

Sec. 4. The sums named in this bill shall be drawn from the Treasury, on the presentation of the proper certificates of the State Board of Agriculture to the Auditor General, and on his warrant to the State Treasurer.

The bill was laid on the table.

Mr. Green moved that the bill making appropriation of swamp land for opening and improving the State road from Mecosta county to the county seat of Oceana county, be taken from the table;

Which motion prevailed.

Mr. Baker moved to amend by striking out of line 1, section 1, the word "five," and inserting "ten;"

Which motion did not prevail.

The bill was placed on the order of third reading.

On motion of Mr. Stout,

The committee of the whole was discharged from the further consideration of Senate bill No. 61, being

A bill for the apportionment of Senators in the State Legislature.

Mr. Stout moved to strike out "continue to," in line 1, section 1; and insert after "be" the words "and is hereby ;"

Which motion prevailed.

Mr. Strickland moved to recommit the bill to the select committee by which it was reported, with instructions to report a bill making the county of Ingham a senatorial district.

Mr. Galloway moved to amend the instructions by adding after "Ingham," and Livingston, each."

Mr. Stout moved the previous question, and the main question was ordered.

The motion to amend did not prevail, by the following vote:

YEAS.

Mr. Bailey,  
Baldwin,

Mr. Gale,  
\_ Galloway,

Mr. Strickland,  
Tower,

DeLand,  
French,Lacy,  
Lane,Webb,  
Withey,

12

## NAYS.

Mr. Adair,  
Backus,  
Baker,  
Briggs,  
Butterfield,Mr. Carpenter,  
Green,  
Jones,  
McDermid,  
Mulholland,Mr. Near,  
Owen,  
Stout,  
Wilder,  
Williams, . 15

The motion to recommit did not prevail, by the following vote:

## YEAS.

Mr. DeLand,  
French,  
Gale,Mr. Galloway,  
Strickland,Mr. Tower,  
Withey,

7

## NAYS.

Mr. Adair,  
Backus,  
Bailey,  
Baker,  
Briggs,  
Butterfield,  
Carpenter,Mr. Green,  
Jones,  
Lacy,  
Lane,  
McDermid,  
Mulholland,Mr. Near,  
Owen,  
Stout,  
Webb,  
Wilder,  
Williams,

19

Mr. Galloway moved to strike out "Shiawassee," in line two of the 23d district, and insert "Livingston;"

Which motion prevailed.

Mr. Tower moved to insert "Mecosta" after "Newaygo," in the 31st district;

Which motion prevailed.

Mr. DeLand moved to strike out "Leleenaw," in the 3d line of the 31st district, and insert "Manistee";

Which motion prevailed.

Mr. French moved that "Maniton" be inserted between "Emmet" and "Lake," in the 31st district;

Which motion prevailed.

Mr. Carpenter moved that the order of business be suspended and the bill put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,  
Backus,Mr. Coulter,  
French,Mr. Mulholland,  
Near,

Bailey,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,

Gale,  
Green,  
Jones,  
Lacy,  
Lane,  
McDermid,  
Monroe,

Owen,  
Stout,  
Tower,  
Webb,  
Wilder,  
Williams,  
Withey,

27

## NAYS.

Mr. DeLand,

Mr. Galloway,

2

The title was agreed to.

Mr. Baldwin moved that House bill No. 41, being

A bill relative to interest on contracts between citizens of this State and other States and countries, or payable elsewhere than in this State,

Be taken from the table;

Which motion prevailed, and the bill was ordered to a third reading.

Mr. Backus moved to discharge the committee of the whole from the further consideration of Senate bill No. 113;

Which motion prevailed.

On motion of Mr. Stout,

The bill was laid on the table.

The Senate then adjourned

---

*Lansing, Saturday, March 9, 1861.*

The Senate was called to order at 9 o'clock.

Prayer by Rev. Mr. Vibbert.

Roll called : a quorum present.

## REPORTS OF STANDING COMMITTEES.

By the committee on public lands :

The committee on public lands, to whom was referred

A bill to amend an act to extend the Ionia and Houghton Lake State road to Old Fort Mackinaw, being act No. 240 of the session laws of 1859,

Respectfully report the same back to the Senate without

amendment, recommend its passage, and ask to be discharged from further consideration of the same.

**EZRA HAZEN**, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on internal improvement :

The committee on internal improvement, to whom was referred

A bill to quiet title to lands overflowed by mill dams in this State,

Have had the same under consideration, and have instructed me to report the bill back to the Senate with a recommendation that it do not pass, and ask to be discharged from the further consideration of the subject.

**J. CARPENTER**, *Chairman*.

The report was accepted, the committee discharged, and the bill laid on the table.

By the committee on State affairs :

The committee on State affairs, to whom was recommitted

A bill to amend act No. 176, of the session laws of 1859, being an act for the protection of game in the State of Michigan,

Have reconsidered the same. They recommend amendments of sections one and four of said act, and also the addition of three new sections, to be numbered sections 11, 12 and 13. With these amendments they report the same back to the Senate, with a recommendation that the same do pass. They ask to be discharged from the further consideration thereof.

**JOS. R. WILLIAMS**, *for the Committee*.

The report was accepted, the committee discharged, the amendments concurred in, and the bill ordered to a third reading.

By the minority of the committee on salt:

**MINORITY REPORT** of the sepecial committee to whom was referred so much of the Governor's message as relates to the salt interest of this State, sundry petitions, &c.

The minority of the committee to whom the above subject was referred, have had the same under consideration for some

time past, and regrets it has not been in his power to submit the following report at an earlier period for your consideration. Not being the chairman of said committee, I hold myself in no way responsible for the delay thus occasioned. As a difference of opinion exists in your committee, as to the duty of the State, to those engaged in the manufacture of salt, and the duty of the State to its inhabitants, I beg leave to submit the following as the minority report of said committee, believing the interest of the people of this State has been considered as a matter of minor importance, and has not been taken into consideration in the report of the majority thereof; but on the contrary, the interest of the manufacturers alone have been paramount in said report; and the people who have petitioned by thousands to both branches of the legislature during its session for the repeal of said bounty act (No. 200, laws of 1859), have been passed over *unheard and unheeded*. Believing my conclusions are correct, as to the interest taken, and the ingenuity displayed therein, to fasten upon the people of this State a burthensome and onerous tax, for two years to come, of not less than *two hundred thousand dollars* per annum; and their recommendation against any alteration of said bounty, or such slight modifications as will show most conclusively to your minds, on a careful examination of said report, that the interest of the people have been entirely overlooked.

A good deal has been said by the manufacturers and advocates for the continuance of the bounty, and the majority of your committee dwell at some length on that point, that because New York has done much to facilitate *means to extend the market for Onondaga salt*, this State should continue the present bounty. The history and circumstances connected with the manufacture of salt in New York are very different from the facts and circumstances which surround the salt interests of this State. In the early history of the discovery and quality of the Salina brine, or as soon after as it was practicable to do so, the State purchased the Indian title to the salt springs on the shores of Onondaga lake. The Onondaga tribe of Indians, from their



influence over surrounding tribes, as well as from their location, was a central and almost controlling power in the Indian councils for a long time. The wigwam of the Onondagas, in the immediate vicinity of those salt springs, was the council house of the "Seven Nations," embracing all the tribes from the Hudson to Lake Erie, as well as from Pennsylvania and the Canadas. It was around those salt springs that the tribes annually met for council, and on their return would take their necessary supplies of salt. Regarding those springs, as somewhat sacred, the Onondagas, when they ceded their lands to the State of New York, reserved the salt springs and lands immediately adjoining and including Onondaga lake. Afterwards the State became the purchaser of the "salt springs reservation," as it is now commonly called. The State, thus having the original title and control of the entire interest, adopted such measures as would enhance her revenues and make the salt business a tributary to the support of her great works of internal improvement, about which time the Erie canal was projected. That State did what every enterprising citizen should do, adopted as a policy to make every measure a source of support and profit, thereby relieving her citizens from taxation as much as possible, when carrying on and perfecting her great works of internal improvement.

In Michigan, an entirely different policy is sought to be pursued. Michigan has no such interest in the salt springs of her State; they are the property of her citizens, over which she has no control, and only a general interest in common with her other treasures; and, in the bounty she has offered for the development of brine, and the practicability of manufacturing salt within her borders, she has done far more, according to her means, to encourage individual enterprise in the manufacture of salt, than that of her sister State. *The bounties paid by New York have all been given with special reference to her own interest,* thereby making it a source of revenue by and through the traffic on her canals, and not for the benefit of any individual, com-

pany, or corporation. Her's was a necessary State policy, to save herself from loss, and her citizens from taxation. Michigan has no such interest to provide for, but it is her imperative duty to protect her citizens from onerous and unjust taxation. The bounty she is obliged to pay those engaged in the manufacture, already, if the law should be entirely repealed, would be more than New York ever paid to encourage that branch of individual enterprise. It has also been urged that the good faith of the State will, in the event of a material change in said law, be violated. Your committee are not unmindful of the interests of her citizens in this matter. A brief statement of the history of the bounty law, will show the facts in the case. Referring to Senate documents for the year 1859, your committee find that the petitioners for aid from the State in this matter, *on whose petitions the bounty law was enacted*, say that, "believing that salt rock underlies the Southern Peninsula of the State, and, in many places, sufficiently near the surface of the ground to admit of the successful business of salt making in this State; believing that there is no single thing or enterprise that can be prosecuted within our borders that will equally tend to enrich our whole State, as a speedy *development of the resources* of our State in this very necessary article; believing the State has the ability, and should make use of it, to bring about the desired, inevitable result, that must flow from any early prosecution of salt manufacture to complete success, earnestly petition the Legislature to take the whole subject under mature consideration, and speedily pass some act that will subserve the public interests in this regard."

Your committee also find that the report of the special committee of the Senate, reporting on these petitions, says: "In the examination of the subject, your committee have become satisfied that there exists (in this State) such natural facilities for the manufacture of salt as would justify, and should induce the State to adopt efficient means *for their development*, and thus place within the reach of the people of Michigan, the means of

producing, within her borders, an article of prime necessity, which is now wholly brought from other States.

"In view of the large amount of money annually taken from the State for the purchase of salt, and the fact that it can with proper encouragement be profitably manufactured by our own citizens, and within our own territory, your committee believe it incumbent on the Legislature, to afford such encouragement by liberal appropriations, *to be expended in opening one or more salt wells at Grand Rapids, or in the Saginaw Valley, that the practicability of manufacturing salt, to at least the extent required for the consumption of our own people, may be fully demonstrated.*"

The House committee, in reporting on the same, say: "We venture to say that salt can be as successfully made in this State as in any State in the Union; and we see no reason why our State cannot supply the whole West with that indispensable article. Your committee would recommend a liberal policy on the part of the State, *looking to the development of our own resources. To that end, we commend to the consideration of the House, bills now before the Senate,*" &c.

It will be seen from the petitions and reports of the special committee of both Houses on this subject, that it was for the *development and demonstration of the practicability of manufacturing salt* in Michigan, that the law of 1859 was enacted.

Your committee was present at the time this measure was under discussion, when said law was enacted, and entertains the opinion that the bounty was intended only for the purpose herein specified. There are members upon the floor of this Senate, who were members of the session of 1859, who, I believe, will fully corroborate the statement of your committee, believing it was not the intention of the legislature to establish a permanent bounty of a greater or less amount after the enterprise had proved itself, as it has, in the opinion of your committee, an entire success.

From the investigation given to the subject by your commit-

tee, it is believed that the subject sought by the petitioners for the law of 1859, and those who enacted it, have been, in a great measure, if not entirely, accomplished. Under the laws and the encouragement offered by the State, *several* wells have been sunk—more than “one or two,” as contemplated in the passage of said act—and from the best and most reliable information that your committee can obtain, have yielded brine which, for strength, is *unequalled*. “*Although, it might not be improper for your committee to state that, within the last sixty days, if we can rely upon circulating reports, the brine has become considerably brackish.*” There are several works in successful operation, which are located in the Saginaw valley and at Grand Rapids. Your committee are of the opinion that this State possesses many advantages, for the profitable and successful manufacture of salt, over that of the State of New York, from the fact that wood for its manufacture can be obtained for one quarter the price paid at the East, and the barrel materials at much less cost, the eastern works being, in a great measure, compelled to seek their supplies for like purposes in the *forests of the West*.

The East Saginaw Salt Manufacturing Company was one of the first who commenced the manufacture of salt in this State, and, from the most reliable information, your committee are informed that at the present time they are making about *eighty* barrels per day, which, at the present bounty allowed by the State, equals forty dollars per day, or one hundred and forty-six thousand dollars per year, and with the improvement in their works, now progressing, for the manufacture on a more extensive scale, the bounty to this company alone would, if continued, amount to upwards of *two hundred thousand dollars* per year. This amount in connection with the bounties which other companies would be entitled to, if continued, would swell the amount to half a million of dollars annually, which would have to be drawn from the public treasury of the State, and raised by direct taxation from the people, to encourage a profitable investment and lucrative business. The State Geologist reports that the extent of the salt basin of the State is equal to four

times that of New York. Your committee quote from his report. *He says :*

"It cannot be denied that the prospects of the salt manufacture in Michigan are exceedingly encouraging, aside from the *unparalleled strength of the brine* of the Saginaw valley. The *position*, surrounded by forest, which must cheapen to the last degree, the expenses of barrels and fuel, and upon the immediate shores of navigable waters, stretching from Oswego to Chicago, *is such as to enable us to compete successfully with any other source of supply* to the western and northwestern States.

"Such being the facts, the great geographical extent of the salt basin of Michigan, perhaps four times the extent of that of New York, together with the extraordinary strength of the brine, furnish strong reasons to anticipate that at no distant day *Michigan will be the leading salt-producing State in the Union.*" Nothing more is wanted to show that all, and even more than was contemplated by the friends and the petitioners for the law of 1859, *has been successfully accomplished*, and demonstrated as to the profitable manufacture of salt in Michigan, aside from any impurities which develop itself in its manufacture as claimed by its friends.

I herewith submit, by permission, an extract from a private letter from Prof. Winchell, the State Geologist, to a gentleman in this city, received a few days since, as follows:

"I do believe that a better thing than any any bounty, would be a definite appropriation for chemical investigation in reference to the impurities of our brine. On this, I should like to make a suggestion, if it is not too late. Let \$2000 a year be put in my hands, for the purpose of discovering any improved means of removing the chemical impurities of our brine, and for other chemical researches connected with the geological survey; and this is what I would do with it: I would offer \$1000 as a premium to any chemist in the United States, who would discover a satisfactory means of removing the chloride of calcium, the means proposed to be approved by the presidents of three of the manufacturing companies in our State. If means were

not discovered, the money could be saved. The other \$1000 I would use in paying for chemical investigation in our coals, building stones, clays, ores, mineral waters, fertilizers, soils, &c., &c."

Entertaining these views, confirmed by all the information your committee have been able to obtain, without any argument to mitigate against their force, your committee cannot think it good policy for the State, or justice to its citizens, to continue the bounty provided in the law of 1859, which would prove ruinous to every interest of the State; neither would they recommend an entire abandonment of all encouragement to the manufacture of salt, "but would recommend that the capital invested shall be exempt from taxation," and would suggest to the consideration of the legislature the propriety of adopting the suggestion of Prof. Winchell, which, in the opinion of your committee, would do more to benefit the salt interests of the State, than any direct bounty; and recommend that the bill now before the Senate for the discovery of the best method of purifying brine from wells in this State, be enacted into a law.

All of which is respectfully submitted.

JOHN G. OWEN, *minority Committee.*

The report was laid on the table and ordered printed.

#### MESSAGES FROM THE OTHER HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 8, 1861. }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following concurrent resolution:

*Whereas*, Great destitution exists among the people of Kansas, on account of the destruction of their crops;

*And whereas*, The Legislative Assembly of the State of Kansas have urged the importance of Legislative relief from this, and other States;

*And whereas*, It is impossible, under the Constitution of this State, to introduce any new bill or joint resolution, at this ses-

sion of the Legislature, for the appropriation of money or other purposes, it is not in the power of this Legislature to grant the desired relief; therefore

*Resolved*, (the House concurring,) That the Senate and House of Representatives of the State of Michigan earnestly recommend to the people of this State, to take prompt and active steps for raising voluntary contributions for the relief of the suffering people of Kansas, and thus supply, in some measure, their wants and necessities, which, under other circumstances, would have been granted by the Legislature;

In the passage of which, the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, March 8, 1861. }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following entitled bills :

1. A bill to amend section 364, of chapter 10, of the compiled laws, relative to the compensation of supervisors;

2. A bill to amend section 5860, of the compiled laws, in reference to the crime of polygamy;

In the passage of which the House has not concurred.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message and bills were laid on the table.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, March 8, 1861. }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following entitled bill :

A bill to amend an act entitled an act to amend an act to incorporate the village of Kalamazoo, and the acts amendatory thereto, approved April 1st, 1850, and the acts amendatory thereto;

Which the House has amended by striking out all of section 20; also, by striking out, in the 6th line of section 21, the word "recorder," and insert in place thereof the words "any justice of the peace of the township of Kalamazoo."

The House has also amended the title of the bill so as to read as follows:

A bill to re-incorporate the village of Kalamazoo, and to repeal all inconsistent acts and parts of acts;

In the passage of which, as amended, the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the amendments concurred in, by the following vote:

YEAS.

Mr. Adair,	Mr. DeLand,	Mr. McDermid,	
Backus,	French,	Monroe,	
Baldwin,	Galloway,	Near,	
Briggs,	Green,	Stout,	
Brown,	Hazen,	Tower,	
Butterfield,	Lacy,	Wilder,	
Carpenter,	Lane,	Withey,	21

NAYS.

0

The bill was ordered to be enrolled.

The President announced the following:

HOUSE OF REPRESENTATIVES, {  
Lansing, March 8, 1861. }

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following entitled bills:

1. A bill to authorize boards of health to dispose of real estate;



2. A bill to provide for laying out and establishing highways on lines dividing this from other States;

3. A bill to amend sections 4742, 4747, 4748 and 4771 of the compiled laws, relating to proceedings against debtors by attachment;

4. A bill to amend and add to chapter 132, of compiled laws, entitled of homestead exemptions;

5. A bill to provide for the organization of the Homeopathic branch of the University of Michigan;

6. Joint resolution for the relief of the Detroit locomotive works;  
Which have passed the House by a majority vote of all the members elect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table.

The several bills were read twice, by title, and referred as follows :

The first, third, fourth and fifth named to the committee on the judiciary, and the second to the committee on roads and bridges.

The joint resolution was read twice, and referred to the committee on finance

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, March 8, 1861.* }

*To the President of the Senate :*

SIR :—I am instructed to return to the Senate the following entitled bill :

A bill to authorize the board of supervisors of the county of Ontonagon to raise money by tax or otherwise for the protection and improvement of the harbor at the mouth of the Ontonagon river,

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to

take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill ordered enrolled.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 8, 1861. }

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following entitled bill:

A bill making appropriations for the support of the State Normal School;

Which has passed the House by a vote of two-thirds of all the members elect, and by a like vote been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill read twice and referred to the committee on public instruction.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 8, 1861. }

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following entitled bills:

1. A bill to organize the county of Bleeker;
2. A bill to protect the owners of sheep from damage done by dogs;
3. A bill to provide for the floating of logs and timber in the streams of this State;
4. A bill to restore certain sections of land to the township of Cettrellville, in the county of St. Clair;

5. A bill to authorize religious, eleemosynary and other corporations, not municipal, to sell, convey, exchange or mortgage real estate for certain purposes;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the several bills were read twice and referred as follows: The first and fourth to the committee on towns and counties, the second to the committee on finance, the third to the committee on State affairs, and the fifth to the committee on the judiciary.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, March 8, 1861.* }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following entitled bill:

A bill to provide for the signing of decrees, records, and journals of courts of record,

Which the House has amended by adding a new section thereto, to be numbered section 2, as follows:

“Section 2. Any decree of the former court in chancery or of the circuit court in chancery, that may have been duly passed and signed, and not reversed, vacated or annulled, and which may have failed to be recorded or enrolled, may be directed by the court having the legal custody of the files in the case in which such decree was pronounced, in its discretion, to be recorded and enrolled by the register of the court *nunc pro tunc*, and when so recorded and enrolled the same shall be as effectual as if recorded and enrolled at the end of thirty days after its allowance.”

In the passage of which, as amended, the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the amendments were concurred in by the following vote :

YEAS.

Mr. Adair,	Mr. Coulter,	Mr. Monroe,
Backus,	French,	Mulholland,
Bailey,	Galloway,	Near,
Baker,	Green,	Owen,
Baldwin,	Hazen,	Stout,
Briggs,	Jones,	Tower,
Brown,	Lacy,	Williams,
Butterfield,	Lane,	Withey,
Carpenter,	McDermid,	

26

NAYS.

0

The bill was ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, March 8, 1861. }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following entitled bill:

A bill to amend an act entitled an act to authorize proceedings against garnishees, and for other purposes, approved March 28, 1849, being chapter 141, compiled laws,

Which the House has amended as follows :

In line 1, section 1, strike out the words "twenty-five, twenty-six and twenty seven," and insert in lieu thereof, the words "five and seven." In line 3, section 1, strike out all after the word "hereby," and insert the words "amended so as to read as follows."

In place of recited sections 25 and 26, insert the following:

Sec. 5. The personal service of a summons upon such garnishee shall be deemed the commencement of a suit in the name of the plaintiff, against such garnishee, which summons may be

served in the same or any adjoining county in this State, and require the appearance of such garnishee before such justice, at his office in the same or any adjoining county in this State; *Provided*, The lawful fees for travel and attendance shall be paid or tendered to such garnishee at the time of such service: and such suit may be entered on the docket, as suits in other cases.

Sec. 7. Upon closing the examination, if the plaintiff shall have recovered a judgment against the defendant, he may immediately declare against the garnishee in the manner provided in section 10, in this act, and the like proceedings shall be had as upon a suit brought against his debtor; but if a suit be pending and undetermined between the plaintiff and defendant, the cause shall be continued, but it shall not be necessary to adjourn the same to any day certain; and nothing in this amendment shall be so construed as to in any wise interfere with the provisions of section 14, of the act of February 28, 1849, relative to costs in proceedings against garnishee.

Add as section 2 the following:

Sec. 2. Sections 25 and 26 of said act are hereby repealed, and the following substituted in lieu thereof as section 25:

Sec. 25. Corporations other than municipal may be proceeded against as garnishees in the same manner and with the like effect as individuals under the provisions of this act, and the rules of law regulating proceedings against corporations, and the summons against the garnishee in such case may be served on the president, cashier, secretary, treasurer, general agent, superintendent or other principal officer of such corporation, and it shall be the duty of such officer so sued, or of the proper officer of such corporation having knowledge of the facts, to appear before the justice at the return of such summons, and unless he shall so appear, such corporation shall be held to be indebted to the defendant on the original suit, to the amount of any judgment that may be made against such defendant in said original suit, unless within three days after the return day of such summons, such corporation shall, by such officer, show a suffi-

cient reason, to the satisfaction of the justice, for not appearing to answer such summons, and shall then appear and answer said summons, and the justice shall thereupon, on the third secular day, render judgment against such corporation as against other garnishees, for the amount of such debt, and with like effect. But on such cause shown, such officer may be examined as other garnishees, and with like effect as against the corporation he represents; such corporation, or the plaintiff in such suit, may appeal from any such judgment rendered under this section, to the circuit or district court of the proper county in the same manner as appeals may be taken from any other judgment of a justice of the peace.

Add as section 3 the following:

Sec. 3. Section 27 of said act is hereby repealed, and the following substituted in its place:

Sec 27. Any process, notice or writing issued by a justice of the peace against any corporation may be served in the manner prescribed by law for serving process on the corporation against which the process, notice or writing is issued;

In the passage of which, as so amended, the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill referred to the committee on the judiciary.

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Backus moved to take from the table Senate bill No. 113, being

A bill to endow the German American Seminary of Michigan with certain swamp land on condition of draining the same;

Which motion prevailed and the bill was ordered to a third reading.

Mr. Tower moved that Senate bill No. 187, being

A bill to lay out a State road from Pewamo, in the county of

lenia, by the way of Matherton, to the center of Isabella county, and making appropriations of swamp lands for the same,

Be taken from the table and ordered to a third reading;

Which motion prevailed.

On motion of Mr. Ingersoll,

Senate bill, entitled

A bill to amend section 5659 of the compiled laws, relative to fees for publishing legal notices and advertisements,

Was taken from the table and ordered to a third reading.

Mr. Strickland moved to take from the table Senate bill No. 133, being a substitute for House bill No. 95;

Which motion prevailed, and the bill was laid on the table.

Mr. Baker moved that 500 extra copies of the reports of the committee on salt be ordered printed for the use of the Senate;

Which motion prevailed.

On motion of Mr. Ingersoll,

Senate bills No. 8, and 84, were referred to the committee of the whole, the same being the

#### SPECIAL ORDER.

On motion of Mr. Ingersoll,

The Senate went into committee of the whole on the special order,

Mr. Stout in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report :

The committee of the whole have had under consideration Senate bill No. 84, being

A bill to amend act No. 200, of the session laws of 1859, being an act to encourage the manufacture of salt in the State of Michigan, approved February 15, 1859,

Have made some progress therein, and ask leave to sit again

BYRON G. STOUT, *Chairman.*

The report was accepted, and the committee granted leave to sit again for the further consideration of the bill.

The Senate took a recess till this afternoon at 2 o'clock.

## AFTERNOON SESSION.

The Senate was called to order at 2 o'clock.

Roll called : a quorum present.

## MESSAGES FROM THE OTHER HOUSE.

The President, by consent, announced the following:

HOUSE OF REPRESENTATIVES, {  
Lansing, March 9, 1861. }

*To the President of the Senate :*

SIR:—I am instructed by the House to transmit the following entitled bill :

A bill to repeal chapter 122, of the revised statutes of 1846, and the amendments thereto, and to provide for the collection of demands against water-craft,

Which has passed the House by a majority vote of all the members elect, in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill read twice and referred to the committee on the judiciary.

The President also announced the following :

HOUSE OF REPRESENTATIVES, {  
Lansing, March 8, 1861. }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following entitled joint resolution:

Joint resolution to authorize the Board of State Auditors to audit and allow the claim of William Beard, in the matter of the improvement of navigation over the sand flats of the Muskegon river, and to authorize the Commissioner of the State Land Office to issue patents of State swamp land therefor,

Which the House has amended by striking out the last resolution, and inserting in lieu thereof the following:

*Resolved further,* That unless the said Beard shall have adjusted and settled the unpaid balance of compensation and



her expenses under the provisions of section 9, of act 147, of the session laws of 1857, and shall produce satisfactory evidence of such settlement, it shall be competent for the Board of State Auditors to audit and allow the same and require it to be paid by the said Beard before he shall be entitled to the provisions and benefits of this resolution;

In the passage of which, as thus amended, the House has concurred by a two-thirds vote of all the members elect, and by a like vote ordered the same to take immediate effect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the amendments were concurred in by the following vote :

YEAS.

Mr. Adair,	Mr. French,	Mr. McDermid,
Backus,	Gale,	Monroe,
Baker,	Galloway,	Near,
Baldwin,	Hazen,	Stout,
Briggs,	Ingersoll,	Tower,
Brown,	Jones,	Webb,
Butterfield,	Lacy,	Wilder,
Carpenter,	Lane,	Williams,
DeLand,		

25

NAYS.

Mr. Owen,	
-----------	--

0

1

The joint resolution was ordered enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, March 9, 1861. }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following entitled bill :

A bill to divide the State into six congressional districts,

Which the House has amended by striking out "Missaukee," in line 21; also, by striking out the word "Kalkaska," in line 22;

In the passage of which, as amended, the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the amendments to the bill concurred in by the following vote :

YEAS.

Mr. Backus,	Mr. Galloway,	Mr. Near,
Baker,	Hazen,	Stout,
Baldwin,	Ingersoll,	Strickland,
Briggs,	Jones,	Tower,
Brown,	Lacy,	Webb,
Butterfield,	Lane,	Wilder,
French,	McDermid,	Williams,
Gale,	Monroe,	Withey,

NAYS.

Mr. Carpenter,

The bill was ordered to be enrolled.

The Senate resumed business in the order of

#### MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Williams,

Senate bill No. 38, being

A bill making appropriations for the support of the State Agricultural College,

Was taken from the table.

Pending the question on the adoption of the substitute offered by Mr. Williams,

Mr Stout moved to strike out section three of said substitute;

Pending which

Mr. Williams moved to strike out the word "two," and insert "one."

Which motion prevailed, by the following vote:

YEAS.

Backus,	Mr. DeLand,	Mr. Owen,
Baker,	French,	Strickland,
Baldwin,	Galloway,	Tower,
Briggs,	Green,	Wilder,

Brown,  
Butterfield,  
Carpenter,

McDermid,  
Near,

Williams,  
Withey,

19

## NAYS.

Mr. Adair,  
Coulter,  
Gale,  
Hazen,

Mr. Ingersoll,  
Jones,  
Lacy,  
Lane,

Mr. Monroe,  
Mulholland,  
Stout,  
Webb,

12

The motion to strike out section 3 did not prevail, the following being the vote thereon :

## YEAS.

Mr. Bailey,  
Carpenter,  
Galloway,  
Hazen,  
Ingersoll,

Mr. Jones,  
Lacy,  
Lane,  
Monroe,

Mr. Mulholland,  
Stout,  
Tower,  
Webb,

13

## NAYS.

Mr. Adair,  
Backus,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,

Mr. Coulter,  
DeLand,  
French,  
Gale,  
Green,  
McDermid,

Mr. Near,  
Owen,  
Strickland,  
Wilder,  
Williams,  
Withey,

19

Mr. Mulholland moved to strike out "twelve," and insert "eight," in section 1;

Which motion did not prevail, the following being the vote thereon :

## YEAS.

Mr. Baldwin,  
French,

Mr. Lacy,  
Monroe,

Mr. Mulholland,  
Stout,

6

## NAYS.

Mr. Backus,  
Bailey,  
Baker,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,  
Coulter,

Mr. DeLand,  
Gale,  
Green,  
Ingersoll,  
Jones,  
Lane,  
McDermid,

Mr. Near,  
Owen,  
Strickland,  
Tower,  
Wilder,  
Williams,  
Withey,

22

Mr. Stout moved to amend by adding the following to sec. 2:

*Provided*, That the duties of such secretary shall be dis-

charged by the Professor of Horticulture in the Agricultural College, without addition to his present salary ;

Which motion did not prevail, the following being the vote thereon :

YEAS.

Mr. Baldwin,	Mr. Lacy,	Mr. Mulholland,	
French,	Monroe,	Stout,	6

NAYS.

Mr. Adair,	Mr. Carpenter,	Mr. Near,	
Backus,	Coulter,	Strickland,	
Bailey,	Green,	Tower,	
Baker,	Ingersoll,	Wilder,	
Brown,	Jones,	Williams,	
Butterfield,	Lane,	Withey,	18

Mr. Baldwin moved to strike out the word "eight," in the third line of section 1, and insert "five" in lieu thereof;

Which motion did not prevail.

The substitute was adopted.

Mr. Jones moved that the order of business be suspended, and the bill put upon its immediate passage;

Which motion prevailed.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

YEAS.

Mr. Backus,	Mr. Gale,	Mr. Near,	
Bailey,	Green,	Owen,	
Baker,	Ingersoll,	Strickland,	
Briggs,	Jones,	Tower,	
Brown,	Lane,	Wilder,	
Butterfield,	McDermid,	Williams,	
Carpenter,	Monroe,	Withey,	
DeLand,			23

NAYS.

Mr. Adair,	Mr. French,	Mr. Mulholland,	
Baldwin,	Lacy,	Stout,	
Coulter,			1

On motion of Mr. Williams,

The title was amended so as to read as follows :

A bill making appropriations for the support of the State

Agricultural College, the State Board of Agriculture, and the State Agricultural Society ;

And, as thus amended, was agreed to.

The President, by consent announced the following :

MESSAGE FROM THE OTHER HOUSE.

HOUSE OF REPRESENTATIVES, }  
*Lansing, March 9, 1861.*

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following entitled bill :

A bill to amend an act entitled an act disposing of certain grants of land made to the State of Michigan, for railroad purposes, approved June 3d, 1856, approved February 14, 1857,

The title of which the House has amended by inserting after the word "purposes" the words "by act of Congress."

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the amendments concurred in by the following vote :

YEAS.

Mr. Adair,	Mr. Coulter,	Mr. McDermid,
Bailey,	DeLand,	Near,
Baker,	French,	Owen,
Baldwin,	Green,	Stout,
Briggs,	Ingersoll,	Strickland,
Brown,	Jones,	Wilder,
Butterfield,	Lacy,	Williams,
Carpenter,	Lane,	Withey,

24.

NAYS.

Mr. Tower, 1

Mr. Baldwin, by unanimous consent, made the following report :

By the committee on finance :

The committee on finance, to whom was referred House joint resolution No. 7, being

Joint resolution for the relief of the Detroit locomotive works, Have had the same under consideration, and would respectfully report the same back to the Senate, with the recommendation that it do pass, and ask to be discharged.

H. P. BALDWIN, *Chairman*.

The report was accepted, the committee discharged, and the joint resolution ordered to a third reading.

The committee on enrolled bills made the following report :

The committee on enrolled bills, to whom was referred

A bill to amend an act entitled an act to revise the charter of the city of Detroit, approved February 5, 1857 ;

Also,

A bill to amend an act entitled an act for the benefit of fractional school district No. 1, of Vassar, and No. 2, of Tuscola ;

Also,

A bill to provide for selecting and locating the unselected deficiency existing in the quantity of lands due to the State of Michigan, under the act of Congress, approved May 20, 1826, and for any other land grant made by act of Congress to this State ;

Also,

A bill to amend sections 11 and 127, of chapter 117, of the compiled laws, relative to security of costs in justices' courts ;

Also,

Joint resolution appointing Francis A. Artault, a citizen of the county of Ontonagon, in the State of Michigan, agent for the purpose of encouraging emigration to the Upper Peninsula ;

Also,

A bill to provide means for the redemption of the bonds of the State, maturing January 1, 1863 ;

Also,

Joint resolution appropriating the tolls of the St. Mary's Canal to the payment of the amount due counties for taxes assessed on canal lands ;

Also,

A bill to amend sections 4339, 4340, 4341 and 4342, of the

compiled laws, in relation to the competency of witnesses, and examination of parties, in certain cases;

Also,

Joint resolution to authorize the Board of State Auditors to audit and allow the claim of William Beard, in the matter of the improvement of navigation over the sand flats of the Muskegon river, and to authorize the commissioner of the State Land Office to issue patents of State swamp land therefor;

Would respectfully report that they have considered the same, and herewith return them to the Senate correctly enrolled.

H. C. BRIGGS, *Chairman.*

The report was accepted, and the bills were signed and presented to the Governor.

On motion of Mr. Carpenter,

The committee of the whole was discharged from the further consideration of the several bills relating to the salt interests of the State.

On motion of Mr. Owen,

Senate bill No. 139, entitled

A bill for the assessment of damages caused by the flowing of lands by the erection of mill dams,

Was taken from the table.

Mr. Owen moved to add to section 1 the following:

*Provided*, That no compensation shall be awarded for damage sustained more than three years before the institution of the complaint.

Mr. Carpenter moved to amend by striking out "three" and inserting "six;"

Which motion did not prevail.

The motion to insert the proviso prevailed.

The Senate took up the consideration of Senate bill No. 34,  
being

A bill to amend act No. 200 of the session laws of 1857,  
being an act to encourage the manufacture of salt in the State  
of Michigan, approved February 15, 1859,

Mr. Baker moved to strike out all after the word "every," in

line 2 of section 3, and insert "bushel of salt manufactured by said individual, corporation or company previous to the passage of this act, from water obtained from borings or wells in this State, the accounts for which shall be presented to the board of State Auditors and audited and allowed by said board upon due proof thereof.

Sec. 4. All acts and parts of acts contravening the provisions of this act are hereby repealed;"

Pending which,

Mr. Carpenter moved a call of the Senate;

Which call was sustained, the roll called, and Senators Hazen and Baldwin reported absent without leave;

The Senators appeared, and were admitted to their seats, and

On motion of Mr. Carpenter,

Further proceedings under the call were dispensed with.

The pending motion did not prevail, the following being the vote thereon:

#### YEAS.

Mr. Backus,  
Baker,  
Carpenter,

Mr. Hazen,  
Jones,

Mr. Lane,  
Mulholland,

#### NAYS.

Mr. Adair,  
Bailey,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Coulter,  
DeLand,

Mr. French,  
Gale,  
Galloway,  
Green,  
Ingersoll,  
Lacy,  
McDermid,

Mr. Monroe,  
Near,  
Stout,  
Tower,  
Wilder,  
Williams,  
Withey,

Mr. Baldwin moved to strike out section 1, and insert the following in lieu thereof:

Sec. 1. *The People of the State of Michigan enact*, That the act entitled an act to encourage the manufacture of salt in the State of Michigan, approved February 15, 1859, be and the same is hereby amended so as to read as follows:

Sec. 1. *The People of the State of Michigan enact*, That all companies or corporations formed, or that may be formed for the



purpose of boring for and manufacturing salt in this State, and any and all individuals engaged or to be engaged in such manufacture, shall be entitled and subject to the provisions of this act : *Provided*, That all such companies or individuals shall be actually engaged in such manufacture prior to the first day of August, 1861;

Which motion prevailed.

Mr. Baker moved to insert the following at the end of section 1:

*Provided further*, That the county of Lenawee, (shares no part in the benefit of the manufacture of salt in the northern part of this State, therefore, the said county of Lenawee) shall be exempt from taxation, so far as relates to her share of the assessment for this purpose;

Which motion did not prevail.

Mr. Ingersoll offered the following as a substitute for the bill:

A BILL to amend an act entitled an act to encourage the manufacture of salt in the State of Michigan, approved February 15, 1859.

Section 1. *The People of the State of Michigan enact*, That the act entitled an act to encourage the manufacture of salt in the State of Michigan, be and the same is hereby amended so as to read as follows :

Section 1. *The People of the State of Michigan enact*, That all companies or corporations formed, or that may be formed for the purpose of boring for and manufacturing salt in this State, and any and all individuals engaged or to be engaged in such manufacture, shall be entitled and subject to the provisions of this act.

Sec. 2. All property real and personal used for the purpose mentioned in the preceding section shall be exempt from taxation for any purposes for the term of ten years from the passage of this act.

Sec. 3. There shall be paid from the treasury of the State, as a bounty to any such individual, company or corporation, for each and ever bushel manufactured by any such individual, company or corporation, ten cents per bushel for the first forty

thousand bushels, and five cents per bushel for the second forty thousand bushels, and two and one-half cents per bushel for the third forty thousand bushels : *Provided*, That no such bounty shall be paid at any time upon a less quantity than five thousand bushels.

Sec. 4. Each and every claim for any such bounty shall be audited and allowed by the board of State auditors, and that upon their allowance and certificate thereof, the Auditor General shall draw his warrant upon the Treasurer, whose duty it shall be to pay the same : *Provided*, That no such claim for said bounty shall be audited and allowed by said auditors prior to the first day of January, 1862.

Sec. 5. It shall be the duty of every company, corporation or individual, who shall be engaged in the manufacture of salt within this State, annually to make or cause to be made by some person or persons having a knowledge of the facts, a report showing the amount of salt manufactured in the year ensuing the first day of January ; and which report shall be filed with the Auditor General in the month of January in each year ; and such company, corporation or individual, who shall neglect to cause such report to be made and filed as aforesaid, shall be liable to the State in a penalty of five hundred dollars for each and every such offence.

Sec. 6. It shall be competent for the legislature at any time time to alter, amend or repeal this act, or any part thereof.

Mr. Monroe moved to amend by striking out the proviso in the 4th line of section one, and inserting the following:

*Provided*, That all such companies or individuals shall have been engaged in boring or sinking wells for brine, or in the manufacture of salt in this State, prior to the passage of this act;

Which motion prevailed by the follow vote:

YEAS.

Mr. Adair,  
Backus,  
Baker,  
Baldwin,

Mr. DeLand,  
French,  
Green,  
Hazen,

Mr. Monroe,  
Near,  
Owen,  
Stout,

Briggs,  
Brown,  
Butterfield,  
Coulter,

Ingersoll,  
Lacy,  
Lane,  
McDermid,

Wilder,  
Williams,  
Withey,

23

NAYS.

Mr. Bailey,  
Carpenter,

Mr. Galloway,  
Jones,

Mr. Mulholland,  
Webb,

Mr. Withey moved to amend section 8 as follows: Strike out "forty," in line 10; strike out "five," in same line, and insert "ten;" strike out "forty," in same line, and insert "twenty;" strike out "two and a-half," in line 11, and insert "five;" strike out "forty, in same line, and insert "twenty;"

Which motion prevailed.

The question recurring on the adoption of the substitute, the same was lost, the following being the vote thereon:

YEAS.

Mr. Butterfield,  
Gale,

Mr. Green,  
Ingersoll,

Mr. Monroe,  
Withey,

NAYS.

Mr. Adair,  
Backus,  
Bailey,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Carpenter,

Mr. Coulter,  
DeLand,  
French,  
Galloway,  
Hazen,  
Jones,  
Lacy,  
Lane,

Mr. McDermid,  
Mulholland,  
Near,  
Owen,  
Stout,  
Webb,  
Wilder,  
Williams,

24

On motion of Mr. Wilder,

The order of business was suspended, and the bill put on its immediate passage.

Mr. Backus moved to recommit the bill to the committee on manufactures;

Which motion did not prevail.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baker,

Mr. French,  
Gale,  
Galloway,  
Green,

Mr. Monroe,  
Mulholland,  
Near,  
Owen,

Baldwin,  
Briggs,  
Brown,  
Carpenter,  
Coulter,  
DeLand,

Hazen,  
Jones,  
Lacy,  
Lane,  
McDermid,

Stout,  
Tower,  
Webb,  
Wilder,  
Williams,

25

## NAYS.

Mr. Butterfield,

Mr. Ingersoll,

Mr. Withey,

3

Mr. Ingersoll moved that the title be so amended as to read as follows :

A bill to violate the pledged faith of the State of Michigan, and to encourage the manufacture of salt elsewhere than in said State;

Mr. DeLand moved to commit the motion to the special committee on salt ;

Which motion did not prevail, the following being the vote thereon :

## YEAS.

Mr. Carpenter,  
Gale,

Mr. Ingersoll,  
Jones,

Mr. Withey,

5

## NAYS.

Mr. Adair,  
Backus,  
Bailey,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Coulter,

Mr. DeLand,  
French,  
Galloway,  
Green,  
Hazen,  
Lacy,  
Lane,  
McDermid,

Mr. Monroe,  
Mulholland,  
Near,  
Stout,  
Tower,  
Webb,  
Wilder,  
Williams,

25

The question being on the motion to amend the title, the same did not prevail.

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

The Senate took a recess till half past seven o'clock.

## EVENING SESSION.

The Senate was called to order at half-past seven o'clock.

Roll called : a quorum present.

## THIRD READING.

House bill, entitled

A bill to amend an act entitled an act to revise the charter of the city of Port Huron, approved February 15, 1859,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Backus,	Mr. French,	Mr. Near,	
Bailey,	Hazen,	Owen,	
Baker,	Ingersoll,	Stout,	
Baldwin,	Jones,	Tower,	
Briggs,	Lacy,	Webb,	
Brown,	Monroe,	Wilder,	
Carpenter,	Mulholland,	Williams,	
Coulter,			22

## NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

House bill, entitled

A bill to organize the townships of Hancock and Bendry, in Houghton county,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. French,	Mr. Mulholland,	
Backus,	Hazen,	Near,	
Bailey,	Ingersoll,	Owen,	
Baker,	Jones,	Stout,	
Baldwin,	Lacy,	Tower,	
Brown,	Lane,	Webb,	
Carpenter,	Monroe,	Williams,	
Coulter,			22

## NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

House bill No. 85, being

A bill to provide for the draining swamps, marshes and other low lands,

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Backus,	Mr. Coulter,	Mr. Mulholland,
Bailey,	French,	Near,
Baker,	Gale,	Stout,
Baldwin,	Hazen,	Tower,
Briggs,	Jones,	Webb,
Brown,	Lacy,	Wilder,
Butterfield,	McDermid,	Williams,
Carpenter,	Monroe,	

23

## NAYS.

Mr. Lane,	1
-----------	---

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

House bill No. 111, entitled

A bill to change the boundaries of the county of Houghton, and establishing the county seat thereof,

Came up for a third reading.

Mr. Coulter moved to amend by striking out of line 1, sec. 2, the words, "in the village of Houghton;" also, striking out all after the word "county," in sec. 3, and insert "as now provided by law;"

Which motion prevailed.

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. Carpenter,	Mr. Monroe,
Backus,	Coulter,	Mulholland,
Bailey,	French,	Near,
Baker,	Gale,	Owen,
Baldwin,	Hazen,	Stout,
Briggs,	Jones,	Tower,
Brown,	Lacy,	Webb,
Butterfield,	Lang,	Williams,

24

## NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect, by a vote of two-thirds of all said Senators.

House bill, entitled

A bill to prevent the adulteration of coal oil,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. French,	Mr. Monroe,
Backus,	Gale,	Mulholland,
Bailey,	Hazen,	Near,
Baker,	Ingersoll,	Stout,
Briggs,	Jones,	Tower,
Brown,	Lacy,	Webb,
Butterfield,	Lane,	Wilder,
Coulter,	McDermid,	Williams,

24

## NAYS.

Mr. Carpenter,	1
----------------	---

The title was agreed to, and the bill ordered to take immediate effect, by a vote of two-thirds of all said Senators.

Senate bill No. 123, entitled

A bill for the collection of damages sustained by defective bridges on the public highways,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. Hazen,	Mr. Near,
Bailey,	Ingersoll,	Owen,
Baker,	Jones,	Stout,
Butterfield,	Lacy,	Webb,
Carpenter,	Lane,	Williams,
Coulter,	McDermid,	Witbey,
Gale,		

19

## NAYS.

Mr. Backus,	Mr. French,	Mr. Tower,
Briggs,	Monroe,	Wilder,
Brown,	Mulholland,	

8

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

Mr. Monroe gave notice that he should, on Monday, move to reconsider the vote by which the last named bill was passed.

Mr. Owen moved a reconsideration of the same vote;

On motion of Mr. Gale,

The motion was laid on the table.

House joint resolution No. 7, entitled

Joint resolution for the relief of the Detroit locomotive works,

• Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Monroe,
Backus,	French,	Mulholland,
Bailey,	Gale,	Near,
Baker,	Hazen,	Owen,
Baldwin,	Ingersoll,	Stout,
Briggs,	Jones,	Tower,
Brown,	Lacy,	Webb,
Butterfield,	Lane,	Wilder,
Carpenter,	McDermid,	Williams,
Coulter,		

28

## NAYS.

0

The title was agreed to.

House bill No. 89, entitled

A bill to authorize the formation of gymnastic associations,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Lane,
Backus,	French,	McDermid,
Bailey,	Gale,	Near,
Baldwin,	Hazen,	Owen,
Briggs,	Ingersoll,	Wilder,
Brown,	Jones,	Williams,
Butterfield,	Lacy,	Withey,
Coulter,		

23

## NAYS.

Mr. Baker,	Mr. Monroe,	Mr. Stout,
Carpenter,	Mulholland,	Tower,

6

The title was agreed to, and the bill ordered to take immediate effect, by a vote of two-thirds of all said Senators.

Senate bill No. 122, being

A bill to confirm certain sales of land made by the commissioner of the State land office, August 4, 1859,

Came up for a third reading, and was committed to the committee on public lands.

Senate bill No. 51, being

A bill to amend certain sections of the primary school law,



Came up for a third reading, and was laid on the table.

Senate bill No. 107, being

A bill to authorize the district judge of the Upper Peninsula to convey certain lands held in trust under the act of Congress, of May 23, A. D. 1844,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

YEAS.

Mr. Adair,	Mr. Coulter,	Mr. McDermid,	
Backus,	DeLand,	Monroe,	
Bailey,	French,	Mulholland,	
Baker,	Gale,	Near,	
Baldwin,	Hazen,	Owen,	
Briggs,	Ingersoll,	Stout,	
Brown,	Jones,	Tower,	
Butterfield,	Lacy,	Webb,	
Carpenter,	Lane,	Wilder,	27

NAYS

0

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

Senate bill No. 139, entitled

A bill for the assessment of damages caused by the flowing of lands by the erection of mill dams,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

YEAS.

Mr. Adair,	Mr. Gale,	Mr. Near,	
Backus,	Green,	Owen,	
Baker,	Hazen,	Stout,	
Briggs,	Ingersoll,	Tower,	
Brown,	Lacy,	Webb,	
Butterfield,	Lane,	Wilder,	
Coulter,	McDermid,	Williams,	
DeLand,	Mulholland,	Withey,	
French,			25

NAYS.

Mr. Jones, 1

The title was agreed to, and the bill ordered to take immediate effect, by a vote of two-thirds of all of said Senators.

Senate bill No. 96, being

A bill to amend act No. 176 of the session laws of 1859, being an act for the protection of game in the State of Michigan, Came up for a third reading, and was laid on the table.

Mr. Carpenter moved that the Senate adjourn; .

Which motion did not prevail, the following being the vote thereon:

#### YEAS.

Mr. Backus,	Mr. Carpenter,	Mr. Stout,	
Baker,	Gale,	Webb,	
Baldwin,	Mulholland,	Wilder,	
Brown,	Owen,	Withey,	
Butterfield,			13

#### NAYS.

Mr. Adair,	Mr. French,	Mr. Lane,	
Bailey,	Green,	Monroe,	
Briggs,	Hazen,	Near,	
Coulter,	Jones,	Tower,	
DeLand,	Lacy,	Williams,	15

House bill No. 41, being

A bill relative to interest on contracts between citizens of this State and other States and countries, or payable elsewhere than in this State,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

#### YEAS.

Mr. Adair,	Mr. Brown,	Mr. Lacy,	
Backus,	Butterfield,	Mulholland,	
Bailey,	Coulter,	Owen,	
Baker,	French,	Tower,	
Baldwin,	Green,	Wilder,	
Briggs,	Ingersoll,	Withey,	13

#### NAYS.

Mr. Carpenter,	Mr. Jones,	Mr. Stout,	
DeLand,	McDermid,	Webb,	
Gale,	Monroe,	Williams,	
Hazen,	Near,		11

The title was agreed to.

Senate bill No. 115, entitled

A bill to exempt from taxation the lands belonging to incorporated colleges and academies,

Was read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows:

## YEAS.

Mr. Backus, Baker,	Mr. DeLand, Near,	Mr. Webb,	.5
-----------------------	----------------------	-----------	----

## NAYS.

Mr. Adair, Bailey, Baldwin, Briggs, Brown, Butterfield, Carpenter, Coulter,	Mr. French, Gale, Green, Hazen, Ingersoll, Jones, Lacy, McDermid,	Mr. Monroe, Mulholland, Owen, Stout, Tower, Wilder, Williams, Withey,	24
--	--	--	----

The Senate adjourned until Monday morning at 9 o'clock.

---

*Lansing, Monday, March 11, 1861.*

The Senate was called to order at 9 o'clock.

Prayer by Rev. Mr. Gillet.

Roll called : a quorum present.

## REPORTS OF STANDING COMMITTEES.

By the judiciary committee:

The committee on the judiciary, to whom was referred House bill No. 115, being

A bill in relation to assignments, and to compel assignees to give security,

Have had the same under consideration, and would respectfully report the same back to the Senate without recommendation.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill laid on the table.

By the judiciary committee:

The committee on the judiciary, to whom was referred House bill No. 121, being

A bill to authorize boards of health to dispose of real estate,

Have had the same under consideration, and would respectfully report the same back to the Senate, and recommend that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee :

The committee on the judiciary, to whom was referred

A bill to amend an act entitled an act to authorize proceedings against garnishees, and for other purposes, approved March 28, 1849, being chapter 141, compiled laws,

Have had the same under consideration, and would respectfully report the same back to the Senate, with the recommendation that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman*.

The report was accepted, the committee discharged, and the amendments of the House concurred in by the following vote:

#### YEAS.

Mr. Adair,	Mr. Carpenter,	Mr. Lacy,	
Backus,	Coulter,	Lane,	
Baker,	DeLand,	McDermid,	
Baldwin,	French,	Mulholland,	
Briggs,	Galloway,	Near,	
Brown,	Hazen,	Stout,	
Butterfield,	Jones,	Williams,	21

#### NAYS.

0

The bill was ordered to be enrolled.

By the same committee:

The committee on the judiciary, to whom was referred House bill No. 113, being

A bill to authorize religious, eleemosynary and other corporations, not municipal, to sell, convey, exchange or mortgage real estate for certain purposes,

Have had the same under consideration, and would respectfully report the same back to the Senate, and recommend that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee :

The committee on the judiciary, to whom was referred House bill, being

A bill to amend and add to chapter 132 of the compiled laws, entitled of homestead exemptions ;

Have had the same under consideration, and would respectfully report the same back to the Senate with the recommendation that it do pass.

All which is respectfully submitted.

H. T. BACKUS, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee :

The committee on the judiciary, to whom was referred House bill No. 123, being

A bill to amend sections 4742, 4747, 4748 and 4771 of the compiled laws, relating to proceedings against debtors by attachment,

Have had the same under consideration, and would respectfully report the same back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee:

The committee on the judiciary, to whom was referred House bill, entitled

A bill to provide for the organization of the Homeopathic branch of the University of Michigan,

Have had the same under consideration, and would respectfully report that the bill under consideration provides that the Regents of the University shall, and they are by its terms required, within six months from its passage, to establish at some place other than Ann Arbor a branch of the University, to be known and designated as the homeopathic department of the university, and to appoint at least three professors of that department, with the salaries the same as the professors of the allopathy branch of the department of medicine at Ann Arbor, which homeopathic professors are to teach the different branches of medicine as permitted in the allopathic branch of the medical department as also the science of homeopathy. The bill makes further provisions for procuring buildings for such branch of the medical department, authorizes the regents of the university to receive donations for that purpose, with the general provision that such branch shall be conducted by the professors thereof, under the supervision of the regents of the university, and under such rules as they shall prescribe.

From the general object and provisions expressed upon its face, your committee think no one could have anticipated any objection, providing as it does for the institution and conducting, under the supervision of the regents of the university, a branch of the science of medicine that has, in the progress of that science, commended itself to the wisdom and learning of the scientific, and so largely, in late years, commanded by its success and efficiency the confidence of the public.

The bill, in fact, only provides for the reorganization, on a larger scale and a more permanent basis, of the homeopathic branch of the medical department of the University, which by law has formed a part of it for some years past, but from neglect or otherwise has been left dormant, and which the demands of the people have required should be quickened into action by the passage of this bill.

Your committee, therefore, have been not a little surprised to

find that this branch of the medical science, established by law as a part of the circle of sciences required to be taught in the University, should have been so long persistently neglected, not only against the requirements of law, but the demands of a large share of our people, and they were more surprised to find that any portion of the true friends of the University should resist this demand, whatever might be the tenacity with which the old school professors of medicine attached to the University might cling to their preconceived notions in direct opposition to a large, and, at least, respectable portion of the same profession, and the loud demand of an impatient people.

Your committee are aware that on this, as on almost every every other subject, honest differences of opinion may and do exist, so your committee have felt bound to consider, to some extent, the views of both the friends and opponents of this measure, and coming as they do from a common constituency, the people of the State, your committee believe they would be unjust, and you would be unjust, not dispassionately to consider the subject and so to act as the result of such consideration may dictate.

The friends of the present measure press its adoption mainly for two reasons: *first*, from the fact of the persistent refusal or neglect of the regents of the university, or those having control of the detailed administration of its affairs, to establish and set in operation a professorship of homeopathy in the department of medicine, as directed by the law of 1855, amending the act to provide for the government of the State University, under which the organization and government of that institution is created, and the whole thing fitted for the general supervision of the regents, in carrying out the practical detail of its management, as required by the Constitution—of this neglect, to call it by no other name. Your committee think the friends of the present measure have just right to complain, not only as treating with utter disrespect the numerous and strenuous friends of the homeopathic branch of the medical science, but as palpably violating the existing law, and defying the legisla-

tive authority of the State; to remedy which they ask the passage of the present bill. *Second*, the friends of the measure ask its adoption, from their belief in the intrinsic merits of this branch of the science of medicine, that will be developed and taught, under the provisions of this bill.

In the opinion of your committee it is neither necessary or proper, nor indeed would it come within the proper range of their duties, to attempt a scientific analysis of the comparative merits of these two branches of the healing art, in the fullest development and most perfect exercise and practice of the system in which the whole people are so deeply interested. Such a disquisition would better become the schoolmen, than the legislator. The former may, and is fitted to analyze, while the latter must often act on facts, as developed by the actual wants and necessities of society.

The fashion of society, as well as the wants of the human race, has established the necessity of the science of medicine, or the healing art.

The comparative merits of any two systems is properly determined by the results of their operation, largely modified by the choice of individuals, as to the peculiar method by which they prefer to be cured when sick.

In the opinion of your committee, therefore, the previous action of the Legislature settles the fact that homeopathy, as a branch of the science of medicine, is so far, at least, entitled to such a standing, and such Legislative patronage, as will secure to it a full development of its capacities as a branch of the medical science, and then leave individuals to choose as between the comparative merits of that and allopathy.

Your committee do not at this time, although urgently requested so to do by the friends of the measure, deem it necessary or proper for them to enter into detail as to the results of this practice as compared with the old or allopathic practice, which they insist is largely in favor of the former and its curative capacity, but it is sufficient for them to say, that if as a curative system it approaches anywhere near in its results the other



system, it not only merits but demands legislative patronage to develop it to its fullest extent, so as to afford to the sick the possible chance of being restored to health, in some cases, without being made the victim of the system of alteratives that creates one disease to cure another ; nor will your committee, as urged by the friends of the measure, for what would run into unnecessary and even tedious prolixity, to exhibit any detailed statement of the number of learned and scientific men who have given this system, after such examination as they were well capacitated to give, their cordial approval, or the number or character of its professors, or where it is taught in universities, colleges or other institutions or hospitals, where it is taught and actually practiced as the true method of treating disease ; but your committee will simply state, that not only in the United States, but in Great Britian, Continental Europe, the East and West Indies and throughout the world, wherever the science of medicine as a science, has found a footing, this system has commended itself from its method of practice and results to a very large share of the public confidence, and it numbers among its practitioners some and many of the most talented men in the world. In our own State, as your committee are credibly informed from statistics, this system of medicine numbers from one to two hundred practitioners, regularly educated and accredited as physicians, who have either left the old practice and adopted this, or been educated in institutions out of the State, and more than this, that a large and growing portion of our people, throughout the State, have become firmly convinced that this is indeed the preferable system.

In this your committee do not attempt scientifically to discuss the relative merits of the two systems, or intend to be understood as attempting it, or to eulogize the homeopathic at the expense of the allopathic system, or to cast any reproach on the latter, the time honored institution of our fathers ; but this they do say, that from the consistency, strength, character and numbers of the practitioners and believers in homeopathy as a sys-

tem of medicine, not only elsewhere but among our own people, that in the opinion of your committee the Legislature would be reckless of their duty did they not hearken to this call, and firmly establish this branch of medicine so that its merits can be fully tested and its benefits possessed by our people. Another consideration urges this policy upon our attention—the fact that all students of this system within our own State, and who are yearly increasing, are now, from the narrow policy of the University, compelled to seek their education in other States whose liberality and progressive policy have established institutions in accordance with the spirit of the times, where this system is taught. While Michigan, boasting herself of one of the finest universities in the new world, doggedly refuses admission to this branch of universal science, persistently refusing progress, and like another Vatican dooming her medical Gallileos to condign obscurity for daring to assert that the earth was not flat as a pan cake.

These considerations embody the general views of the friends of this measure, as presented to your committee, while the opponents of the measure almost if not quite deny Homeopathy the character and standing of a science, and insist on its absolute inutility as a branch of the healing art, in which your committee cannot concur, in view of the results of the operation of this system, so fully and well authenticated as they are as, also, the cordial approval it meets with from those whose learning and scientific ability so well fits them to judge.

But the opponents of the measure, also, as your committee understand, insist upon other objections purely of a legal character, which, if well taken, however desirable the system, or certain and valuable the science, the measure would fail now at least, and in all future time by any legislative action, and until the administrators of the university shall see fit to regard the public demand.

It is insisted that this particular bill was improperly before the other House, and of consequence can have no standing here, as coming in conflict with that provision of the constitution

tion that prohibits the introduction of any new bill into the Legislature after the first fifty days, in these words: "No new bill shall be introduced into either branch of the Legislature after the first fifty days of the session shall have expired." The facts in relation to this bill are these: that before the expiration of the fifty days limited by the Constitution, a bill was regularly introduced into the House, entitled a bill *to provide for the reorganization and government of the University of Michigan*, which bill went on to provide for the reorganization of the university, and the creation and distribution of powers and duties to be exercised and preformed by the regents and others connected with the university, and among other things, to direct the creation of at least three departments; one of literature, science and arts; a department of law, and a department of medicine; omitting as is now provided by law, that in the medical department there should be a Homeopathic professor, and repealing all existing acts in relation to the subject. This bill in the due course of Legislative action, lay upon the table of the House, and was on a day subsequent to the expiration of the fifty days, in due and regular course of business, taken from the table, and in the regular and usual course of Legislative action, was, by amendment in the way of substitution, so amended as to present the bill now under consideration, being a bill to provide for the organization of the Homeopathic branch of the university of Michigan,

And so it provides for thus re-organizing one branch instead of the whole of the university, for, under existing law, the homeopathic branch exists, but the bill under consideration re-organizes and enlarges it, making the provisions more clear. In this form the bill regularly passed the House, and in the regular course of business was transmitted to the Senate, and is now under consideration. From a mere statement of this question no one would or could suppose any serious objection would be taken to this bill. The objection to this bill taken by the opponents of the measure seems to be this: that it was not the same bill that was introduced and laid on the table of the House

before the expiration of the constitutional limitation of fifty days, but was a new bill, because the House had amended it, and by its title and body made it provide for the re-organization of one of the branches of the university instead of the several branches.

In the opinion of your committee, the mere technical objection might be fully met, by simply saying that the determination of the House by its action of passing the bill under consideration, and transmitting to this House, is conclusive as to its regularity so far as regards the course to be taken by the Senate, but the matter, in the opinion of your committee, needs to rest on no such technical ground.

The provision of the constitution, limiting the introduction of new bills to fifty days, and on no principle of sound construction, can be held in any way to limit the course of regular legislative action, on such bills as are so introduced. In other words, either House of the Legislature has, since that constitutional limitation, just the same powers and scope of legislative action by substitution, amendment and otherwise, it had before; by all the usual legislative methods of proceeding, of substitution and amendment, (if these are not both one,) either by itself or its committees, in any way to change or modify, either the title or body of any bill subject to no limitation other than that the original subject of the bill is not wholly changed so as to lose its entire identity. Its operation on the general object may be either enlarged or restricted, or so modified or changed as to suit the will of the Legislature. The question here raised, if any question it be, is not one of how many or radical amendments may be made in a bill; but whether any amendments, however slight, may be made; for on the slightest amendment it is not the same identical bill it was before it was amended any more than after the most extensive amendment, which still leaves the general subject bill relating to the same, or some part, however small, of the original subject. Under this manifestly sound and only correct rule of construction, the bill in question is most clearly free from any constitutional objections; and such has

been the rule clearly practiced upon, at this and other sessions of the Legislature, and the only one that would not absolutely so cripple the power of the Legislature as to defeat action on almost any bill entirely.

But the opponents of this measure take another legal position still more alarming, as to the public interest, in relation to the bill under consideration, which, if well taken, exhibits the anomaly of a power within the State neither legislative, executive or judicial, the only three into which the powers of the State are divided by the Constitution, but one absolutely independent of them all, and which can defy them all. If such *imperium in imperio* actually exists, it is well that the bill under consideration had discovered and brought out this constitutional grant that thus defies the whole government.

The claim is, that the University is a constitutional creature, not only co-ordinate with, but absolutely independent of the whole legislative power of the government; is subject to no legislative action, and of consequence bound by none. If this be true, then indeed not only is the bill under consideration a nullity, but all previous and future legislation on this subject is, and will be, equally null, and if in its good pleasure the University should now, or at any future time, see fit not only to change, but actually abolish the departments of literature, science and the arts, now established by law therein, also of law and medicine, and in their place to establish a system of pagan rites and ceremonies, or any of the mystic sciences, astrology, necromancy or witchcraft, not only the Legislature would be perfectly powerless, but so would the other departments of the government. These tremendous powers are claimed and asserted, as your committee believe, by such friends of the University as, if their counsels prevail, must ultimately prove its ruin, by stripping it and its administration of all popular confidence.

And, again, these claims of legislative incapacity, are made under color of section 6, of article 13, of the Constitution, which provides that there shall be elected in each judicial circuit, a

regent of the university, whose term of office shall be the same as that of the said judge. The regents elected shall constitute the Board of Regents of the University of Michigan; and section 7, of the same article, which provides that the regents of the university and their successors in office shall continue to constitute a body corporate, known by the name and title of the Regents of the University of Michigan; and section 8, of the same article, provides that the regents of the university shall, at their first annual meeting, or as soon thereafter as may be, elect a president of the university, who shall be *ex officio* as member of the board, with the privilege of speaking, but not of voting; and further, that the board of regents shall have the general supervision of the university, and the direction and control of all expenditures from the university interest fund.

It is presumed the only clause under which this absolute immunity from legislative action is claimed is the last, giving the regents the *general supervision and the direction and control of all the expenditures from the university interest fund*. If such be the true construction of this clause, and no legislative action can interfere, or in any way control or direct their action as to the subject, then the supreme or circuit courts must, upon a similar rule of construction, be absolutely free from legislative direction, either as to manner or measure of their powers; for to the former is given the general superintending control over all inferior courts, and to the latter a general control over inferior courts within their respective jurisdiction.

Your committee believe no one ever doubted or for a moment supposed that it was not only competent, but the duty of the Legislature to prescribe and regulate remedies and instrumentalities by which they severally administer justice, and exercise their constitutional supervision and control. Indeed, legislative intervention is and has been necessary to bring into existence and full development not only the powers of the courts, but also those of the regents of the university, and to claim any such legislative exemption would not only be to invalidate all past and present legislation, and leave both these branches

of the government undeveloped and incapable of action for want of legislative power, which is in no form, either expressly or impliedly, given to them by the Constitution. Incongruous and impracticable as that instrument is, it is justly chargeable with no such utter legal absurdity.

The obvious and only sensible construction of these provisions of the constitution is this, that the one is to exercise its general superintending control, and the other its *general supervision* of the university, and the direction and control of all the expenditures, &c., in such manner and under such regulation as the Legislature may prescribe. Otherwise, the past as well as present existence of the university, as well as much of its action, is a nullity, as resting for its combination on the creation and divisions of its powers of action on mere legislation which, if the portion of the opponents of this measure is right, is simply void, and the university itself is destitute of the powers derived from legislation, and the legislative branch of the government has no power to interfere ; such constructions would be simply absurd and wholly impracticable, as would, likewise, the attempt on the part of the regents of the university to assume the direction and control of all expenditures from the university interest fund, without any legislative direction and action, when not only the whole of such fund, the university lands, is by the terms of the donation from the General Government expressly appropriated to the use of the university, in such manner as the Legislature may prescribe. If this view of the matter needed any further support, it is found in the elaborate opinion of the late Attorney General, hereto attached, marked "A," and again, as your committee are informed by the present one, that the legislation contemplated by the bill under consideration is most clearly competent and constitutional; your committee, therefore, report said bill back as not only competent and constitutional, but with the recommendation that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman*.

A.

ATTORNEY GENERAL'S OFFICE, }  
March 23, 1859.HON. DONALD MCINTYRE, *Regent University, Ann Arbor:*

DEAR SIR:—Your favor of the 12th inst, asks for my opinion whether the act of 1855, (No. 100,) to amend the act providing for the government of the University, approved April 8, 1851, is constitutional and valid. The act of 1855, amends section 5 of the principal act, by adding at its close, the words: "*Provided*, That there shall be at least one professor of homoeopathy in the department of medicine." These words, although in the form of a *proviso*, are plainly mandatory upon the regents, and divest them of all discretion in the matter of this professorship.

As to the constitutional character of the act of 1851, I will only remark that, although it assumes to repeal the corporation known in the act of 1837, (Sess. L. of 1837, p. 102,) as the "Regents of the University of Michigan," which is the same institution mentioned and provided for, without any incorporating word, in chapter 2, title 11, part 1, (p. 234,) of the revised statutes of 1838, and the same re-incorporated by chapter 57 of the revised statutes of 1846, (p. 216); and to re-incorporate the same with various changes and modifications; yet it is quite clear that the Legislature intended it as a re-enactment, revision and amendment of all the previous statutes on the subject. This whole series of State statutes was passed for the principal, perhaps sole object, of performing the important trust imposed upon the State, as one of the terms of her admission into the Union, by the act of Congress, of June 23, 1836, (R. S. of 1846, p. 748.) This act, among other things, proposes to the State that "the 72 sections of land set apart and reserved for the use and support of a University, by an act of Congress, approved on the 20th of May, 1826, entitled, &c., shall be, by virtue of the act itself, granted and conveyed to the State, to be appropriated solely to the use of such University, in such manner as the Legislature may prescribe." This was the second proposition



contained in the act. Anticipating such a grant, the framers of the Constitution of 1835, provided expressly (art. 10, sec. 5) that the *Legislature* should take measures for the protection, improvement, or other disposition of such lands as had been, or might thereafter be reserved or granted by the United States to this State, for the support of a University ; and that the funds arising out of the rents or sales, should remain a permanent fund for the use of the University, as might be authorized by the *terms of the grant*. Surely, it is not here contemplated that the Legislature should ever divest themselves of the power and duty of directing the application of this fund. And accordingly, on the 25th of July, 1836, the Legislature solemnly accepted the proposition of Congress, and thereby bound the State to perform the trust respecting those lands, according to the terms of the act of Congress. The compact thus became binding and irrevocable, except by the consent of both of the parties ; and it only remained for the State, in good faith, to carry out the trust. It has not, I believe, been pretended that the State has, or ever claimed to have, any but a fiduciary title in the lands thus granted, or in the proceeds of the sales ; or that any individual administering the fund, acts otherwise than as an officer, or agent of the State. And the Supreme Court have very correctly held that the present corporation, known as the Board of Regents of the University, is a public, and not a private corporation. They are in fact but the mere agents of the Legislature in administering the fund, and applying it to the purposes mentioned in the statute of the United States, the founders of the charity. And it is to be particularly observed, that the lands thus granted, are, by the terms of the trust, to be appropriated to the use of the University, in such manner "*as the Legislature may prescribe.*" The power of appropriating and applying this fund is thus in terms given to the *Legislature* of the State. It would be a strange proposition to insist upon, in a court of justice, that the people of the State, having, in 1836, by the Legislature, endowed with full authority under the then

Constitution, stipulated and *agreed* with the United States, that their *Legislature* should prescribe the manner of appropriating and applying these trust lands, might, at a subsequent period, by amending their Constitution, strip them of all power to do so, and provide that other persons, not appointed by or responsible to the Legislature, should have the absolute direction and control of all expenditures from that fund, and be subject to no legislative direction or restraint in regard to it. And yet it is, as your letter intimates, contended by some that the construction of the last clause of the 8th section of article 13, of the Constitution of 1850, gives to the board of regents not only the general supervision of the university, but also the *absolute* power to decide to what objects the interest of this fund shall be applied and to what it shall not; and that they may exercise this power not only without reference to but in *defiance* of the legislative will. The clause in question is in the following words: "The board of regents shall have the general supervision of the University, and the direction and control of all expenditures from the university interest fund." No one will deny that this interest fund is as really and truly a part of the fund provided by the act of Congress as the purchase price of the lands or as the lands themselves. It is part and parcel of the trust fund, and, in my opinion, by the terms of the act, as much within the control of the Legislature as the principal or the unsold lands. It is this, by the terms of the compact of 1836, which makes the *Legislature* and not the board of regents the *trustees*.

Upon the argumentative assumption that this interpretation of the language of section 8 is the correct one, my reply is: the State having once accepted the act of Congress and thus imposed this trust upon her legislature, it is out of the power of the people themselves by any means known to the constitution and laws of the United States, or of this State, to transfer the responsibility of the trust to third persons without the consent of the United States. If the people of the State could thus, by a clause in their subsequent constitution, pass the

trust over to the regents, it is clear that they might have transferred it to any other individuals, and even to persons not citizens or residents of the State, and thus have divested themselves of all connection with it and all responsibility for its proper and faithful administration, in direct violation of their own solemn engagement that their legislature should prescribe the manner of appropriating and applying the fund to the use of the university. I say, if this be the true construction of the language of the clause of our constitution, it is, in my opinion, in violation of the compact between the United States and this State, and therefore *void*.

But I cannot so interpret the clause—I cannot believe that it entered into the minds of the framers of the Constitution of 1850 to attempt to discharge the State from this responsibility, or to relieve the legislative bodies of the high duty of continuing in their own hands the care and control of the fund. The language they use, although evidently penned with some want of consideration, and probably without particularly consulting the terms of the act of Congress, admits of a construction far more in accordance with their characters as public men and friends of the great objects of the act of Congress. They well knew that the interest fund was then required by law to be collected and deposited in the State Treasury, and that it could not be drawn out except in pursuance of enactments by the Legislature; and it is quite evident to my mind that all they intend by the clause is that the board shall be the agents through whom the Legislature is to expend and apply the money, giving to them and to no other persons the agency not of deciding independently of the Legislature to what objects and purposes it shall be applied, but of paying it out as the Legislature should authorize. Indeed, the very phraseology, "*the direction and control of all expenditures from the university interest fund,*" taken in connection with the fact that the fund was then and ever had been in the keeping of and its expenditure subject to the unquestioned power of the Legislature; the very terms, it seems to me, indicate that the convention took it for granted that the expendi-

tures could be made only as authorized by the Legislature, and that the ultimate power of ordering or withholding was recognized as being still in their hands. An opposite construction would strip the Legislature of all authority to decide upon what objects embraced in the trust it should or should not be paid out, and would empower the board to refuse to apply it to the benefit of any but professors or scholars of a particular religious sect, or to any but a particular system of education, or to any but a particular branch of learning, and to decree that a branch university shall be established and paid for in one place and not in another, and the public would be totally without remedy. For if by the Constitution, which is our paramount law, the absolute power of directing to what objects the expenditure shall be applied be given to the board, then (if the Constitution be not in conflict with the act of Congress,) their determination is final, and beyond the reach not only of the Legislature but of the courts of the State.

Such, however, has not been the light in which the clause has been viewed. The first Legislature which sat under the present Constitution, in the very act amended in 1855, took a different view of it. In section 16 they assume, notwithstanding the clause in the Constitution, to authorize the board to erect buildings, and to restrain them from so doing until the indebtedness of the University is provided for, and until one branch of it shall be established in each judicial circuit of the State. In section 17 they assume to authorize them to expend part of the interest fund in ornamenting the university grounds, and in purchasing philosophical apparatus. Section 18 directs them peremptorily to establish branches in the several judicial circuits so soon as the income of the interest fund will permit.

The control thus asserted at this early period by the Legislature over the board of regents, stands as a weighty argument against the construction now contended for, and shows that the Legislature of 1851, like that of 1855, did not entertain the idea that they had ceased to have power over the fund and to be

responsible for its protection and application, as required by the trust.

And I am of opinion that they were right ; that both acts are constitutional and valid, and that under the act of 1855 it is the legal duty of the board of regents, to appoint a professor of homeopathy in the department of medicine. As the Legislature as a right to direct this, it will be for them to indicate to the regents, should they see cause, at what time the interests of the University and the public may require such professorship to cease. But, as to the propriety of establishing it, the Legislature are, in my view, the paramount judges.

I have the honor to be,

Very respectfully,

Your obedient servant,

J. M. HOWARD,

*Attorney General.*

Report accepted and the committee discharged.

Mr. Webb moved that the bill and the report be referred to the committee on public instruction.

Mr. DeLand moved, as an amendment, that the same be referred to a special committee consisting of Doctors Webb, Gale and Near, with instruction to report thereon to-morrow morning.

Mr. Webb withdrew his motion to refer.

Mr. Deland renewed his motion, that the matter be referred to the special committee named.

Mr. Carpenter moved, as an amendment, that the special committee consist of Doctors Webb, Near and Owen.

Mr. French moved; as a substitute, that the matter be referred to the committee on public instruction, with instruction to report to-morrow morning.

Mr. Stout called for the previous question, and the main question was ordered.

The substitute was adopted.

By the committee on finance :

The committee on finance, to whom was referred House bill No. 122, being

A bill to protect the owners of sheep from damage done by dogs,

Have had the same under consideration, and report the same back to the Senate with an amendment, which amendment excepts the city of Detroit from the provisions of the bill. Your committee can see no good reason why this bill should apply to any of the cities, since sheep-folds are not found in such localities, but should other cities desire that it should so apply, your committee will not object, but offer an amendment by inserting after the word "cities," in the second line of section 14, the word: "excepting the city of Detroit," and ask to be discharged from the further consideration of the same.

H. P. BALDWIN, *Chairman.*

Report accepted and committee discharged.

The amendment was not concurred in.

Mr. DeLand moved to amend by adding to section 5 the following: "and the assessor and supervisor of each township shall cause to be published, by posting notices in at least three public places, and also publicly reading the same at the polls of the township election, the name or names of all persons who have neglected to pay the tax levied in pursuance of the provisions of this act;"

Which motion prevailed.

Mr. Jones moved that the bill be indefinitely postponed;

Which motion did not prevail, the following being the vote thereon :

YEAS.

Mr. Adair,  
Baldwin,  
Brown,  
Coulter,

Mr. Gale,  
Jones,  
Lane,  
McDermid,

Mr. Monroe,  
Mulholland,  
Webb,

11

NAYS.

Mr. Backus,  
Bailey,  
Baker,  
Briggs,  
Carpenter,  
DeLand,  
French,

Mr. Galloway,  
Green,  
Hazen,  
Lacy,  
Near,  
Owen,

Mr. Stout,  
Strickland,  
Tower,  
Wilder,  
Williams,  
Withey,

19

Mr. Owen moved that the bill be committed to the committee on agriculture, with instruction to report to-morrow morning.

By the committee on towns and counties :

The committee on division of towns and counties, to whom was referred

A bill to organize the township of Nottawa, in Isabella county,  
And sundry remonstrances against the same,

Respectfully report that the bill proposes to divide the town of Isabella, in said county, which now contains twenty-seven surveyed townships. The county of Isabella and Clare, which is attached to it for judicial and municipal purposes, is now organized into three towns, one containing a single township, the other four townships, and the third twenty-seven townships. The difficulties of making assessments and the unequal division of highways and other taxes in such cases are crying evils, and should be remedied by fair and just legislation, either here or by the board of supervisors—more properly by the board of supervisors. The committee have not sufficient knowledge of the population of that proposed new town to satisfy them of the propriety of taking any further action thereon. They recommend that if the bill do pass the name be changed to Williams, and without further recommendation, report the bill back and ask to be discharged from the further consideration thereof.

CHARLES V. DeLAND, *Chairman*.

The report was accepted, the committee discharged, and the bill laid on the table.

By the same committee:

The committee on division of towns and counties, to whom referred House bill No. 108, being

A bill to organize the county of Bleecker,

Respectfully report the same back, with a request that the same do pass, and ask to be discharged from the further consideration thereof.

CHARLES V. DeLAND, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee:

The committee on division of towns and counties, to whom was referred

- A bill to organize the township of Groveland,

Report the same back, with a substitute, recommend that the substitute do pass, and ask to be discharged.

CHARLES V. DELAND, *Chairman.*

The report was accepted, the committee discharged, and the substitute adopted and ordered to a third reading.

By the same committee :

The committee on division of towns and counties, to whom was referred House bill No. 86, being

A bill to amend an act entitled an act to organize the county of Mecosta, and to locate the county seat thereof, approved February 11, 1859,

Respectfully report, that the bill under consideration proposes to detach four townships from Montcalm county and to add them to Mecosta county. When the county of Mecosta was platted it consisted of twenty townships, sixteen lying in a square body, the other four lying south of the main body of the county, and adjoining to Montcalm, Kent, and Newaygo counties. In 1857, the county of Mecosta was attached to both Montcalm and Newaygo counties by special statutes. In 1859, the four south townships, called the town of Pierson, now attached to Montcalm for judicial, municipal and representative purposes, and the remaining sixteen towns were organized into a separate county. It seems that a serious and contentious dispute existed in the county of Montcalm about the location of the county seat, hence the act attaching Pierson to that county contained a provision which excluded the people of Pierson from voting upon the county seat question. But it seems that the people of that town were not satisfied with this arrangement, and did claim the right, through their supervisor and at the polls to vote on the location of the county seat. The people of Montcalm county have voted to remove the county seat from Greenville, in the south-west corner of the county, to



the geographical center of the county. This was done, despite the entire vote of the town of Pierson, the vote of which was, however, rejected by the board of canvassers. This action of the people of the town of Pierson seems to have exasperated a large portion of the people of Montcalm county, and thence has arisen the request to detach that town and re-attach it to Mecosta, where it originally belonged. The petitions before the committee show a majority for the detaching of the township. It is but just to say that a large majority of the voters of the town of Pierson have remonstrated against being detached, yet of the petitioners from Montcalm county proper, a majority are for detaching the township.

The population of Montcalm county, by the last census, was 3,984. The population of Mecosta county at the same census, including the township of Pierson, was 1,017. Pierson contains 301 inhabitants. If this is permanently detached from Mecosta county, it will decrease the population of that county to 716 persons, and increase that of Montcalm to 4,285. Whether this change will benefit the one county to the detriment of the other is fairly and properly a portion of the subject to be considered in making the proposed change; fully as important as any question of convenience to the inhabitants of the township in controversy. We are of opinion that the difficulty has arisen solely out of the bitter strife existing in Montcalm county in relation to the location of the county seat. It is a controversy which the committee regret to see introduced into the legislature, but now that it is here, indulge the hope that it will be treated with that candor and generosity such an irritating subject of local interest is fairly entitled to receive. The committee, therefore, report the bill back to the Senate, having presented the facts as they understand them, and ask to be discharged from the further consideration of the same.

CHARLES V. DELAND, *Chairman.*

The report was accepted, the committee discharged, and,

On motion of Mr. Tower,

The bill was indefinitely postponed.

By the committee on the judiciary :

The committee on the judiciary, to whom was referred

A bill to repeal chapter 83, of the compiled laws of 1857, of the interest of the State in mines and minerals,

Respectfully report that they have had the same under consideration, report it back without recommendation and ask to be discharged from the further consideration thereof.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman*.

The report was accepted, the committee discharged, and the bill laid on the table.

By the committee on State affairs :

The committee on State affairs, to whom was referred

A bill to provide for the floating of logs and timber in the streams of this State,

Report that they have had the same under consideration, and return it to the Senate and recommend that it do pass, and ask to be discharged.

B. G. STOUT, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on roads and bridges:

The committee on roads and bridges, to whom were referred

A bill to repeal act No. 48, of session laws of 1859, approved February 3, 1859, appropriating non-resident highway taxes on a road therein named,

Have had the same under consideration, and have instructed me to report the bill back to the Senate with a recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

All of which is respectfully submitted.

N. GREEN, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

## MESSAGES FROM THE OTHER HOUSE.

The President announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, March 11, 1861. }

*To the President of the Senate :*

SIR :—I am instructed to return to the Senate the following entitled bills :

1. A bill making an appropriation for the support of the Michigan Asylum for the deaf, dumb and blind, at Flint, and for completing certain portions thereof;

2. A bill making appropriation for the Michigan Asylum for the insane,

In the passage of which, the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bills ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, March 11, 1861. }

*To the President of the Senate :*

SIR :—I am instructed to return to the Senate the following entitled bill :

A bill to provide a tax for the expenses of the State government,

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, March 9, 1861.* }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following entitled bill:

A bill to quiet title in the county of Kent and other counties,

Which the House has amended by striking out section 23.

The House has also amended the title by striking out the words added to the original title, viz: "and other counties."

In the passage of which, as amended, the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the amendments were concurred in by the following vote:

YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Monroe,
Backus,	French,	Mulholland,
Bailey,	Gale,	Near,
Baker,	Galloway,	Stout,
Baldwin,	Green,	Strickland,
Briggs,	Hazen,	Tower,
Brown,	Lacy,	Wilder,
Butterfield,	Lane,	Williams,
Coulter,	McDermid,	Withey,

27

NAYS.

0

The bill was ordered to be enrolled.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, March 9, 1861.* }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following entitled bill:

A bill to amend section 26, of chapter 101, of the revised statutes of 1846, being section 3054, of the compiled laws, relative to the sale of real estate of deceased persons,

In the passage of which the House has concurred, by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill ordered to be enrolled.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 9, 1861. }

*the President of the Senate:*

SIR:—I am instructed to return to the Senate the following titled bill:

A bill to amend section 1 of an act relative to the admission of attorneys, solicitors and counsellors, approved March 31, 49,

In the passage of which the House has not concurred.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 9, 1861. }

*the President of the Senate:*

SIR:—I am instructed to return to the Senate the following titled bill:

A bill to establish the Detroit house of correction, and authorize the confinement of convicted persons therein;

Which the House has amended by inserting in line 5 of section 1, after the word "appointed," the words "on the nomination of the Mayor;"

Also, in line 3 of sec. 12, strike out all after the word "paid," insert in lieu thereof the following: "the same fees and compensation allowed for conveying persons to the State Prison;"

so, by striking out all of sec. 19;

In the passage of which, as so amended, the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill ordered to be enrolled.

The message was laid on the table, and the amendments were concurred in by the following vote :

YEAS.

Mr. Adair,	Mr. Coulter,	Mr. McDermid,	
Backus,	DeLand,	Near,	
Bailey,	French,	Owen,	
Baker,	Galloway,	Stout,	
Baldwin,	Green,	Tower,	
Briggs,	Hazen,	Wilder,	
Brown,	Lacy,	Williams,	
Butterfield,	Lane,	Withey,	24

NAYS.

Mr. Gale, 1

The bill was ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, March 9, 1861. }

*To the President of the Senate :*

SIR :—I am instructed to return to the Senate the following entitled bill :

A bill to incorporate the public schools of the city of Adrian;

Which the House has amended by striking out in lines 17, 18 and 19, in section 1, the following : "the northeast fractional quarter, and the east half of the north-west quarter of section four;" and, also, amending lines 19 and 20, so as to read as follows : "the north-east quarter of the north-east quarter of section nine;" also, by striking out all after the word "eleven," in line 24, and all before the word "shall," in line 25;

In the passage of which, as amended, the House has concurred by a majority vote of all the members elect, and has or-

dered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the amendments concurred in by the following vote :

YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Monroe,	
Backus,	French,	Mulholland,	
Bailey,	Gale,	Near,	
Baker,	Green,	Owen,	
Baldwin,	Hazen,	Stout,	
Briggs,	Lacy,	Tower,	
Brown,	Lane,	Williams,	
Butterfield,	McDermid,	Withey,	
Coulter,			25

NAYS.

0

The bill was ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, March 9, 1861. }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following entitled bill:

A bill relative to laying out, altering and discontinuing highways,

Which the House has amended by striking out in section 3, line 3, the words "and shall then proceed to lay out, alter or discontinue such highway;"

Also, by adding to section 5 the following: "Private roads shall not be less than one rod in width; and upon application of any person or persons wishing the same, the commissioners, or other proper authorities, shall have power to lay out, alter or discontinue such roads, according to the provisions of this act, except section one hereof: *And provided*, That all the expenses and damages arising therefrom shall be paid by the person or persons making application therefor;"

Also, by adding to section 13, the following: "*Provided, That if the appraisal and award of the commissioners from which the appeal is taken be confirmed, or if the award of damages shall be diminished, then, in either case, the appellant shall pay the whole amount of the costs of such appeal, said costs to be ascertained and determined by said board or boards, and deducted from the amount of damages awarded;*"

Also, by adding to section 14, the following: "*Provided, That this act shall not be construed to change the manner of opening such roads, streets, alleys, lanes, commons, highways, bridges or water-courses, as now provided for in the charter of any incorporated city or village;*"

In the passage of which, as amended, the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the amendments concurred in by the following vote:

#### YEAS.

Mr. Backus,	Mr. Galloway,	Mr. Near,	
Bailey,	Green,	Owen,	
Baker,	Hazen,	Stout,	
Baldwin,	Lacy,	Strickland,	
Briggs,	Lane,	Tower,	
Brown,	McDermid,	Wilder,	
Butterfield,	Monroe,	Williams,	
French,	Mulholland,	Withey,	24

#### NAYS.

Mr. DeLand,	Mr. Gale,	2
-------------	-----------	---

The bill was ordered to be enrolled.

The President also announced the following:



HOUSE OF REPRESENTATIVES, }  
 Lansing, March 9, 1861. }

*To the President of the Senate :*

Sir:—I am instructed to return to the Senate the following entitled bill :

A bill making appropriation of swamp lands for the relief of James Maycroft,

In the passage of which the House has concurred by a two-thirds vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
 Lansing, March 9, 1861. }

*To the President of the Senate :*

Sir:—I am instructed to return to the Senate the following entitled bills:

1. A bill to exempt sewing machines from levy and sale on execution;

2. A bill to amend an act entitled an act relative to convicts sentenced to solitary confinement in the State prison for life, approved April 2, 1849, being section 6230 of compiled laws;

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bills ordered to be enrolled.

The President also announced the following :

years, two for four years, two for six years, and two for eight years. They shall enter upon the duties of their office on the first of January next succeeding their election. At every regular election of a justice of the supreme court thereafter, there shall be elected two regents whose term of office shall be eight years. Whenever a vacancy shall occur in the office of regent, it shall be filled by appointment of the Governor. The regents thus elected shall constitute the board of regents of the University of Michigan."

That section 6, of article 19 of said constitution, be amended so as to read as follows:

Section 6. That elections for all district or county officers, State Senators or Representatives within the boundaries defined in this section, shall take place on the Tuesday succeeding the first Monday of November in the respective years in which they may be required, the county canvass shall be held on the first Monday thereafter, and the district canvass on the third Monday of said November ;

That section two, of article twenty, of said constitution be so amended as to read as follows:

Sec. 2. At the general election to be held in the year one thousand eight hundred and sixty-six, and in each sixteenth year thereafter, and also at such other times as the Legislature may by law provide, the question of the general revision of the constitution shall be submitted to the electors qualified to vote for members of the Legislature, and in case a majority of the electors so qualified, voting at such election, shall decide in favor of a convention for such purpose, the Legislature, at the next session, shall provide by law for the election of such delegates to such convention. All the amendments shall take effect at the commencement of the year after their adoption,

The above amendments to the constitution shall be submitted to the people at the next general election, as provided in section one, of article twenty of the constitution, which said election will be held on the Tuesday succeeding the first Monday of November, 1862; and the Secretary of State is hereby re-

quired to give notice of the same, by transmitting to the sheriff of each organized county by mail or otherwise, a notice in writing or a printed circular, containing a statement of the several amendments hereby proposed; which sheriffs severally are hereby required, after the receipt of such notice; to cause a notice in writing or printed to be delivered to the township clerk of each township, and to one of the inspectors of elections in each ward in any city; which notice shall contain in substance the notice so received by such sheriff, and the inspectors of election in the several townships and cities of the State, shall prepare a suitable ballot box for the reception of ballots cast for and against said amendments. Each person voting for such amendments shall have written or printed on his ballot the words:

Amendments as to Banks—Yes.

Amendment as to Regents of University—Yes.

Amendment as to elections in Upper Peninsula—Yes.

Amendment as to amendments of constitution—Yes.

And those voting against said amendments—

Amendments as to Banks—No.

Amendment as to Regents of University—No.

Amendment as to elections in Upper Peninsula—No.

Amendment as to amendments of constitution—No.

The joint resolution was then read a third time and passed; two-thirds of all the Senators elect voting therefor, as follows:

#### YEAS.

Mr. Adair,	Mr. Gale,	Mr. Mulholland,
Backus,	Galloway,	Near,
Bailey,	Green,	Owen,
Baker,	DeLand,	Stout,
Baldwin,	Jones,	Strickland,
Briggs,	Lacy,	Tower,
Brown,	Lane,	Williams,
Butterfield,	McDermid,	Withey,
Coulter,	Monroe,	
	NAYS.	26
		0

Title agreed to.

On motion of Mr. Gale,

The Senate took a recess till 2 o'clock P. M.

## AFTERNOON SESSION.

The Senate was called to order at 2 o'clock.

Roll called : a quorum present.

## MESSAGES FROM THE OTHER HOUSE.

The President, by consent, announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lausling, March 9, 1861.* }

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following entitled bill :

A bill to provide for the construction of State roads in the Upper Peninsula, under the provisions of an act entitled an act to provide for the draining and reclamation of swamp lands by means of State roads and ditches, approved Feb. 12th, 1859, and an act amendatory thereto, approved March, 1861,

Which has passed the House by a majority vote of all the members elect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives*

The message was laid on the table, and the bill read twice, by title, and referred to the committee on public lands.

The Senate resumed the order of

## MOTIONS, RESOLUTIONS AND NOTICES.

Mr. French offered the following :

*Resolved*, That a sufficient number of copies of the act passed at this session, relative to laying out, and discontinuing highways, to supply one such copy to each township clerk and board of commissioners of highways in this State, be published in pamphlet form with all possible dispatch, and transmitted to the county clerks of the several counties, and by them to the several township clerks of such counties;

Which was adopted.

On motion of Mr. Williams,

Senate bill, entitled

A bill to organize the township of Nottawa,

Was taken from the table.

On motion of Mr. Williams,

The word "Williams" was stricken out, and "Galloway" inserted.

The bill was ordered to a third reading.

The committee on enrolled bills made the following report :

The committee on enrolled bills, to whom was referred

A bill to amend an act entitled an act disposing of certain grants of land made to the State of Michigan, for railroad purposes by act of Congress, approved June 8d, 1856, approved February 14, 1857,

Would respectfully report that they have examined the same, and herewith return it to the Senate correctly enrolled.

H. C. BRIGGS, *Chairman*.

The report was accepted, and the bill signed and presented to the Governor.

Mr. Adair moved to take from the table a bill to attach a portion of the 10th ward of the city of Detroit to the township of Hamtramck, in the county of Wayne;

Which motion prevailed, by the following vote:

#### YEAS.

Mr. Adair,  
Backus,  
Baker,  
Brown,  
Butterfield,  
Carpenter,

Mr. Coulter,  
French,  
Gale,  
Lacy,  
Lane,

Mr. McDermid,  
Malholland,  
Near,  
Owen,  
Withey,

16

#### NAYS.

Mr. Baldwin,  
Briggs,

Mr. DeLand,

Mr. Galloway,

4

Mr. Baldwin moved that the order of business be suspended and the bill put upon its immediate passage;

Which motion prevailed.

The bill was then read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows:

## YEAS.

Mr. Adair, Backus, Baker, Brown, Butterfield,	Mr. Carpenter, Coulter, Green, Lacy, Lane,	Mr. Monroe, Mulholland, Near, Williams,	14
---	--	--	----

## NAYS.

Mr. Bailey, Baldwin, Briggs, DeLand,	Mr. French, Gale, Galloway,	Mr. Owen, Webb, Withey,	10
---	-----------------------------------	-------------------------------	----

On motion of Mr. Withey,

The committee of the whole was discharged from the further consideration of House bill No. 35, and the same was ordered to a third reading.

Mr. Green moved that Senate bill No. 140 be taken from the general order, and placed on the order of third reading ;

Which motion did not prevail.

Mr. Withey moved to take from the table Senate bill No. 61, being

A bill to amend certain sections of the primary school law;

Which motion prevailed.

On motion of Mr. Withey,

Sundry amendments were made, and the bill was ordered to a third reading.

Mr. Carpenter moved that all the bills on the general order be placed on the order of third reading;

Which motion did not prevail.

Mr. Green moved to take from the table

A bill to lay out and improve the lake shore road from Muskegon river, in Muskegon county, to the north line of Mason county,

And place the same on the order of third reading;

Which motion prevailed.

On motion of Mr. Williams,

The Senate resumed the consideration of Senate bill, entitled  
( A bill to repeal act No. 143, session laws of 1859, relative to the university interest fund,

The same being the special order.

Mr. Carpenter moved that the bill be placed on the order of third reading,

Which motion did not prevail, the following being the vote thereon:

## YEAS.

Mr. Bailey,	Mr. Hazen,	Mr. Stout,	
Baker,	Jones,	Strickland,	
Butterfield,	Lacy,	Wilder,	
Carpenter,	McDermid,	Williams,	12

## NAYS.

Mr. Adair,	Mr. Coulter,	Mr. Monroe,	
Backus,	DeLand,	Mulholland,	
Baldwin,	Galloway,	Near,	
Briggs,	Green,	Webb,	
Brown,	Lane,	Withey,	15

Mr. Williams moved that the vote last taken be reconsidered.

Pending which,

Mr. Carpenter moved a call of the Senate.

The roll was called, and Senators Bailey, French, Green and Hazen reported absent without leave.

Senators Green and Hazen appeared, were admitted to their seats, and all further proceedings under the call dispensed with.

The motion to reconsider did not prevail.

Mr. Carpenter moved that the vote by which Senate bill No. 138, being a substitute for House bill No. 95, was ordered to a third reading, be reconsidered;

Which motion prevailed.

Mr. Stout moved to strike out "two," in line 3, section 101, and insert "three;"

Which motion did not prevail, the following being the vote thereon:

## YEAS.

Mr. Adair,	Mr. Coulter,	Mr. Mulholland,	
Baldwin,	DeLand,	Stout,	
Briggs,	French,	Williams,	
Brown,	Lane,	Withey,	
Butterfield,			13

## NAYS.

Mr. Backus,  
Bailey,  
Baker,  
Carpenter,  
Gale,  
Green,

Mr. Hazen,  
Jones,  
Lacy,  
Monroe,  
Near,

Mr. Owen,  
Strickland,  
Tower,  
Webb,  
Wilder,

16

The bill was ordered to a third reading.

On motion of Mr. Carpenter,

The order of business was suspended, and the bill was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Backus,  
Bailey,  
Baker,  
Butterfield,  
Carpenter,  
Coulter,  
French,

Mr. Gale,  
Galloway,  
Green,  
Hazen,  
Jones,  
Lacy,  
McDermid,

Mr. Monroe,  
Near,  
Owen,  
Strickland,  
Tower,  
Wilder,  
Withey,

21

## NAYS.

Mr. Adair,  
Baldwin,  
Briggs,

Mr. DeLand,  
Lane,  
Mulholland,

Mr. Stout,  
Williams,

8

The title was agreed to.

## THIRD READING.

Senate bill No. 106, entitled

A bill to regulate the payment of entry fees in certain cases,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baker,  
Baldwin,  
Briggs,  
Butterfield,  
Carpenter,  
Coulter,

Mr. DeLand,  
French,  
Galloway,  
Green,  
Hazen,  
Jones,  
Lacy,  
Lane,

Mr. McDermid,  
Monroe,  
Mulholland,  
Owen,  
Stout,  
Tower,  
Wilder,  
Williams,

25



## NAYS.

Mr. Gale,                      Mr. Strickland,                      Mr. Withey,

Near,

4

The title was agreed to.

Senate bill No. 103, entitled

A bill to repeal act number 70, of the session laws of 1855, being an act entitled "an act to establish teachers' institutes, approved February 10, 1855,"

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. Galloway,	Mr. Mulbolland,
Baker,	Hazen,	Strickland,
Brown,	Jones,	Tower,
Carpenter,	Lacy,	Wilder,
Coulter,	McDermid,	Williams,
Gale,	Monroe,	

17

## NAYS.

Mr. Backus,	Mr. DeLand,	Mr. Near,
Bailey,	French,	Owen,
Baldwin,	Green,	Stout,
Briggs,	Lane,	Withey,
Butterfield,		

13

The title was agreed to.

House bill No. 19, entitled

A bill to amend an act entitled an act to establish teachers' institutes, approved February 10, 1855;

Mr. Baker, leave being granted, moved to strike out "general fund," in line 6, section 2, and insert "school fund;"

Which motion did not prevail, the following being the vote thereon :

## YEAS.

Mr. Backus,	Mr. Galloway,	Mr. Monroe,
Baker,	Jones,	Owen,
Baldwin,	Lacy,	Strickland,
Butterfield,	McDermid,	Wilder,
Gale,		

13

## NAYS.

Mr. Adair,	Mr. DeLand,	Mr. Near,
Bailey,	French,	Stout,

Briggs,  
Brown,  
Coulter,

Green,  
Mulholland,

Tower,  
Withey,

13

Mr. Strickland, leave being granted, moved to strike out "and twenty five," in line 5, section 2;

Pending which,

The Senate took a recess till 7½ o'clock.

#### EVENING SESSION.

The Senate was called to order at 7½ o'clock.

Roll called : a quorum present.

Leave of absence was granted to Senator Near.

The pending motion to strike out "and twenty-five," prevailed.

Mr. Carpenter moved a call of the Senate, which call was sustained.

The roll was called, and Senators Baker and Owen reported absent without leave.

Further proceedings under the call were dispensed with.

The bill was read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows :

#### YEAS.

Mr. Backus,  
Bailey,  
Baldwin,  
Briggs,  
Brown,

Mr. Butterfield,  
DeLand,  
French,  
Green,  
Owen,

Mr. Stout,  
Strickland,  
Webb,  
Withey,

14

#### NAYS.

Mr. Adair,  
Baker,  
Carpenter,  
Coulter,  
Gale,

Mr. Galloway,  
Hazen,  
Jones,  
Lacy,  
McDermid,

Mr. Monroe,  
Mulholland,  
Tower,  
Wilder,  
Williams,

15

The title was agreed to.

Senate bill, entitled

A bill to amend sec. 5659 of the compiled laws, relative to fees for publishing legal notices and advertisements,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Backus,  
Bailey,  
Baker,  
Brown,  
Butterfield,  
Coulter,

Mr. DeLand,  
French,  
Gale,  
Hazen,  
Lacy,  
Lane,

Mr. McDermid,  
Owen,  
Strickland,  
Wilder,  
Williams,

17

## NAYS.

Mr. Adair,  
Baldwin,  
Briggs,  
Carpenter,

Mr. Galloway,  
Green,  
Jones,  
Monroe,

Mr. Mulholland,  
Stout,  
Tower,  
Withey,

19

The title was agreed to.

Senate bill No. 64, being

A bill to amend an act entitled an act to provide for a military fund in aid of the uniformed volunteer militia, approved February 14, 1859,

Came up for a third reading.

Mr. Baldwin, leave being granted, moved that the word "ten" be stricken out of line 1 of recited sec. 1, and the word "five" inserted;

Which motion prevailed by the following vote:

## YEAS.

Mr. Adair,  
Baldwin,  
Briggs,  
Butterfield,  
French,

Mr. Jones,  
Lacy,  
Lane,  
McDermid,  
Monroe,

Mr. Mulholland,  
Stout,  
Tower,  
Wilder,

14

## NAYS.

Mr. Backus,  
Baker,  
Carpenter,

Mr. DeLand,  
Galloway,  
Green,

Mr. Strickland,  
Williams,

8

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Backus,  
Bailey,  
Briggs,  
Brown,  
Butterfield,

Mr. Galloway,  
Green,  
Hazen,  
Jones,  
Lacy,

Mr. Mulholland,  
Owen,  
Strickland,  
Tower,  
Wilder,

Coulter,  
DeLand,  
French,

Lane,  
McDermid,  
Monroe,

Williams,  
Withey

23

NAYS.

Mr. Stout,

1

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

Mr. Hazen asked and obtained leave to make the following report:

The committee on public lands, to whom was referred

A bill to provide for the drainage and reclamation of swamp lands by means of State roads and ditches,

Have had the same under consideration, and would respectfully report the same back to the Senate, with the following amendments, to wit:

Strike out paragraph one, in section one, and insert in lieu thereof, the following words to stand as paragraph one:

"1. A road beginning at the north-east corner of section thirty-six, in town five south of range sixteen west, running thence north on the section line five miles, to the county line of Van Buren county, to be known as the Dowagiac swamp State road, being a distance of miles.

Strike out in paragraph three, in said section one, all after the word "county," in line ten, and insert the words: "east to Cedar Springs, in Kent county, to be known as the Muskegon and Cedar Springs State road.

Strike out paragraph four, and insert in the place thereof, the following words:

4. A road from Big Rapids, in Mecosta county, southerly, to intersect with a road running from Greenville to Grand Rapids, to be known as the Big Rapids and Grand Rapids State road.

Strike out paragraph eight, and insert in place thereof, the following:

8. A road from Hastings, in the county of Barry, to Lowell, in Kent county, and appropriating, to aid in building the same

four thousand acres of State swamp land, and no more, to be in full for appropriation on said road;

And with said amendments, recommend that it do pass.

EZRA HAZEN, *Chairman*.

The report was accepted, and the committee discharged.

Mr. Carpenter moved that the bill be laid on the table;

Which motion did not prevail, the following being the vote thereon:

YEAS.

Mr. Adair,  
Baker,  
Briggs,  
Carpenter,

Mr. French,  
Galloway,  
Monroe,

Mr. Mulholland,  
Owen,  
Williams,

10

NAYS.

Mr. Backus,  
Bailey,  
Brown,  
Butterfield,  
Coulter,  
DeLand,

Mr. Gale,  
Hazen,  
Jones,  
Lacy,  
McDermid,  
Near,

Mr. Stout,  
Strickland,  
Tower,  
Wilder,  
Withey,

17.

Mr. Monroe moved that the Senate adjourn;

Which motion did not prevail.

Mr. DeLand moved that the bill be made the special order for to-morrow morning at ten o'clock;

Which motion prevailed.

Mr. Withey moved that the Senate adjourn;

Which motion did not prevail.

Mr. Baker moved to reconsider the vote by which was passed

A bill to amend section 5659, of the compiled laws, relative to fees for publishing legal notices and advertisements,

Which motion prevailed by the following vote:

YEAS.

Mr. Adair,  
Backus,  
Baker,  
Baldwin,  
Carpenter,

Mr. Gale,  
Galloway,  
Green,  
Hazen,  
Jones,

Mr. Monroe,  
Mulholland,  
Stout,  
Tower,

14

NAYS.

Mr. Brown,  
Butterfield,

Mr. Lacy,  
Lane,

Mr. Strickland,  
Wilder,

Coulter,  
DeLanl,

McDermid,

Withey,

10

On motion of Mr. Carpenter,  
The bill was laid on the table.

Senate bill entitled

A bill to repeal an act to furnish the Michigan Journal of Education to the school districts, approved Feb. 14, 1857,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

YEAS.

Mr. Adair,  
Backus,  
Baker,  
Brown,  
Carpenter,  
Coulter,  
DeLand,

Mr. Gale,  
Galloway,  
Hazen,  
Jones,  
Lacy,  
Lane,  
McDermid,

Mr. Monroe,  
Mulholland,  
Stout,  
Strickland,  
Tower,  
Williams,

20

NAYS.

Mr. Briggs,  
Butterfield,

Mr. Green,  
Wilder,

Mr. Withey,

5

The title was agreed to.

Senate bill No. 9, entitled

A bill to repeal the charter of the Jackson & Michigan Plank Road Company, approved April 3, 1848,

Was read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows:

YEAS.

Mr. Carpenter,  
DeLand,  
French,  
Gale,

Mr. Jones,  
Lacy,  
Lane,  
McDermid,

Mr. Monroe,  
Mulholland,  
Wilder,

11

NAYS.

Mr. Adair,  
Backus,  
Bailey,  
Baker,  
Baldwin,

Mr. Briggs,  
Brown,  
Butterfield,  
Coulter,  
Galloway,

Mr. Stout,  
Tower,  
Williams,  
Withey,

14

Senate bill, entitled

A bill to repeal chapter 83, of the compiled laws of 1857, of the interest of the State in mines and minerals,

Came up for a third reading, and was laid on the table.

Senate bill, entitled

A bill to organize the township of Groveland,

Came up for a third reading.

Mr. Gale, leave being granted, moved to strike out "Groveland," and insert "Strickland;"

Which motion prevailed.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

#### YEAS.

Mr. Backus,	Mr. Coulter,	Mr. Lacy,
Bailey,	DeLand,	McDermid,
Baker,	French,	Monroe,
Baldwin,	Gale,	Mulholland,
Briggs,	Galloway,	Tower,
Brown,	Green,	Wilder,
Butterfield,	Hazen,	Withey,
Carpenter,		

22

#### NAYS

Mr. Adair,	Mr. Lane,	Mr. Williams,
Jones,	Strickland,	

5

The title was amended by striking out "Groveland" and inserting "Strickland," and, as thus amended, agreed to.

Senate bill No. 82, entitled

A bill to amend an act entitled an act to provide for the drainage and reclamation of swamp lands by means of State roads and ditches, approved February 12, 1859, by adding thereto sections 13, 14, 15, 16, 17, 18, 19, 20 and 21,

Came up for a third reading.

Mr. Baldwin, leave being granted, moved to amend by inserting, in the 4th line of the 16th sec. and the 1st line of the 17th sec., "Upper Peninsula;"

Which motion prevailed.

Mr. Carpenter moved to to recommit the bill to the committee on public lands, with instruction to strike out all after the enacting clause;

Which motion did not prevail; the following being the vote thereon:

## YEAS.

Mr. Baker,	Mr. Carpenter,	2
------------	----------------	---

## NAYS.

Mr. Adair,	Mr. DeLand,	Mr. McDermid,	
Backus,	French,	Mulholland,	
Bailey,	Gale,	Owen,	
Baldwin,	Galloway,	Stout,	
Briggs,	Hazen,	Strickland,	
Brown,	Jones,	Tower,	
Butterfield,	Lacy,	Wilder,	
Coulter,	Lane,	Withey,	24

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. McDermid,	
Backus,	Gale,	Owen,	
Bailey,	Galloway,	Stout,	
Baldwin,	Hazen,	Strickland,	
Brown,	Jones,	Tower,	
Butterfield,	Lacy,	Wilder,	
Coulter,	Lane,	Withey,	21

## NAYS.

Mr. Baker,	Mr. Carpenter,	Mr. Monroe,	
Briggs,	French,	Mulholland,	6

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

On motion of Mr. Carpenter,

The Senate adjourned till to-morrow morning, at 9 o'clock.

*Lansing, Tuesday, March 12, 1861.*

The Senate was called to order at 9 o'clock.

Prayer by Rev. Mr. Armstrong.

Roll called : a quorum present.

## PETITIONS PRESENTED.

By Mr. Backus : petition of George Henry and 161 other citizens of Adrian, praying for an amendment of the law that will enable mechanics and other laborers to collect their dues with more expedition and less expense;

Referred to the committee on the judiciary.



## REPORTS OF STANDING COMMITTEES.

By the committee on internal improvement :

The committee on internal improvement, to whom was referred

A bill to repeal the charter of the bank of Tecumseh,

Have had the same under consideration, and have instructed me to report the bill back to the Senate, with the recommendation that said bill be laid on the table, and your committee ask to be discharged from the further consideration of the subject.

J. CARPENTER, *Chairman*.

The report was accepted, the committee discharged, and the bill laid on the table.

By the committee on public instruction:

The committee on public instruction, to whom was referred House bill, No. 74, together with the report of the judiciary committee thereon, respectfully report that they have been unable to obtain the aforesaid report of the committee on the judiciary, until about the expiration of the time when they were required to submit to the Senate their views thereon. Your committee the more regret this, as there were several legal conclusions, stated therein, from which your committee wholly dissent, and which, in partial to the learned chairman of said judiciary committee, should have been reviewed.

In examining the bill before them, the attention of your committee was first directed to the expediency of re-establishing branches of the University. To those familiar with the history of this institution it is needless to say, that this experiment has been fully tried, and after an expenditure of thirty-six thousand dollars, all the branches were abandoned. The Superintendent of Public Instruction says: "The University has not yet, nor is it probable it ever will have funds to spare for their restoration. Their re establishment may be considered impossible." (See school laws of 1859, page 37). Again, in school laws of 1862, (F. Sherman, Superintendent,) on page 815, the board of Regents hold the following language: "From this experimental, though abortive effort to build up and sustain branches of

the University, the board have learned, and they deem it of sufficient importance to leave on record, that the establishment of branches is detrimental to the best interests of the university."

Your committee trust that opinions of gentlemen so well qualified to judge, will have due weight with the Senate.

In regard to the necessity of an additional school where homœopathy may be taught, your committee would remark, that from information now before them, they learn that the present Professors in the medical department of the University, are as well informed in regard to the peculiar dogmas of that sect, as any other persons in this country or Europe, and that its merits are freely discussed, and its claims purely set forth to the classes attending their lectures, and that in their library are found the chief standard works, both in theory and practice, of this sect, and to which students have free access.

That in establishing the present course of study the board of regents were not governed by prejudice, or a desire to ignore the claims of homœopathists, appears from the following statement of one of their number: "We were fully aware that there existed a sect who believe that nothing can be perceived of the internal operations of the animal frame, where life is disturbed by disease—who teach that it is only by means of the spiritual influences of a morbid agent that our spiritual power can be diseased—that the causes of disease cannot possibly be *material*, but that they originate in a dynamic (spiritual) immaterial cause, and can only be destroyed by dynamic (spiritual) power (see 2d edition Hahnemann's Organon.) The board were also aware that it was a fundamental doctrine with this sect that every chronic disease, except syphilis and a certain naughty disease of the upper lip, was caused by and had its origin in that uncomfortable and somewhat disreputable affection, called in the vernacular *the itch*. The board were made acquainted with this fact by reading the above named work, where, on page 122, the learned founder of this sect informs us that it cost him twelve years of study to arrive at this profound conclusion! He there informs us that "this same troublesome

itch is the sole, true, and fundamental cause that produces all the other countless forms of disease, which, under so many names, appear in our pathology as distinct diseases."

The Board of Regents have distinctly stated [see report of 1852, page 324,) that they were aware that this sect hold and teach that a primary itch eruption may be cured by ten globules of sulphur, if one be given every seven days. As further evidence that those who established the present curriculum in the medical department of the University were fully informed as to the claims of homeopathy, they tell your committee that this "sect" teach that the immaterial (dynamic) virtues of substances, not medicinal in themselves, are developed by mere agitation, or shaking, and refer your committee to pages 207 and 208 of Hahnemann's *Organon*, where we learn that if the homeopathic medicine is shaken more than twice its energy is raised to a dangerous degree. Your committee learn, also, on page 14 of the same work, that as the result of profound study, it is ascertained that "*should a patient only smell once to a globule of sugar the size of a mustard seed, impregnated with the 30th dilution of pulsatilla, his system would be infallibly restored to order and harmony in the space of two hours.*" On a succeeding page we learn that one globule of sugar (of which 100 weigh a grain) moistened with the 30th dilution, and then dried, retains its medicinal aura unimpaired for 18 or 20 years, although the vial that contained it had been opened a thousand times. Indeed, the Board of Regents clearly indicate to your committee (see school laws of 1852) that the homeopaths teach that the more the odor of a medicine is diluted with atmospheric air, the more powerful it becomes (see page 205), so that, did your committee give full credence to the teachings of "*this sect,*" we should tremble for the fate of the unhappy traveler who, though on the top of the Rocky Mountains, and having that prolific cause of disease, the "itch" aforesaid, should inhale the breeze that months before had passed in the vicinity of a drug shop in London or Paris. After having convinced your committee that they were well informed in regard

to the peculiar doctrines of homeopathsists, those having control of the course of study in the University proceed to ask, "shall the accumulated results of three thousand years of experience be laid aside because there has arisen in the world men who, by engrafting a mediocr dogma on a spurious theology, have built up a system (so called) and baptized it homeopathy.

Shall the high priests of this spiritual school be specially commissioned by us to teach grown up men of this age, that the decillioneth of a grain of sulphur, if given homeopathically, will cure seventh tenths of all their diseases, while every grain of albuminous food they swallow ; every hair upon their heads ; every drop of urine distilled from their kidneys ; carries into or out of their systems, as much of that article as would make a body—if incorporated with the necessary amount of sugar—as large as the planet Saturn. Shall the medical faculty be required to tell men whose skeletons contain 20 per cent. of phosphorus, that this article, when its "spiritually dynamic power is developed by the two mysterious shakes," will cure disease, if the patient only inhale the aura remaining in the vial, which twenty years before contained the decillionth of a grain of this same phosphorus ; or, if he apply the like quantity to the *rectum*, at the same time that every kernel of wheat that goes to make up his daily bread, if ground sufficiently fine, would furnish poison enough to destroy the Chinese Empire."

Exact science teaches that man is a *material reality*, formed of *real* chemical constituents ; that he possesses the faculty of assimilating materials necessary to his growth ; that he is liable to disease when operated upon by causes which disturb the laws of his being ; that as he is developed and sustained by the incorporation of material elements introduced from without, so, his abnormal condition is to be removed by agents having real and material properties. Your committee, having been deprived of an opportunity of seeing the report referred to them, have directed their attention to the House report of the friends of this bill (see House Journal, Feb. 23.) This report contains an array of statements so entirely at variance with the facts,

as to excite the astonishment of your committee. For instance, we find it stated in said report, that there are teachers and professors of homeopathy in the following European institutions, viz : University of Zurich, General Hospital of Vienna, University of Genoa, University of Naples, Universities of Freyburgh, Jena, Padua, as well as several public hospitals. Your committee have now lying before them the annual catalogues of these institutions, and in *not one* is there a teacher of homeopathy. Your committee are aware that between the years 1829 and 1846, this so-called science was extensively taught in various parts of Europe, but has long since taken its place among the countless forms of quackery that have flourished and faded, during the last three thousand years.

In proof of their position, your committee quote from authentic documents lying before them, "In answer to notes by the American Ministers at Vienna, Berlin and Paris." The following are extracts from the replies, from Count Buol, Minister of Foreign Affairs :

"Count Buol, Minister of Foreign Affairs in Austria answers,

1. That in Austria homeopathy is taught, not by publicly appointed professors, but only by private teachers.
2. That this mode of cure is practiced, not in public hospitals, but only in cloister, criminal and private hospitals.
3. That the private practice of homeopathy is permitted to any physician who has a diploma."

Ramner, the Prussian Minister, replies :

"I have the honor to inform your Excellency, that homeopathy in Prussia, is not admitted into the universities nor hospitals, nor other public institutions. Physicians are allowed, if they please, to exercise homeopathy in private practice."

Rouland, Minister of Public Instruction, writes :

"The exercise of homeopathy is not legally authorized in France. My administration has not authorized me to exercise any measure having reference to the teaching of homeopathy."

—(*British American Journal*, March, 1860, p. 141.)

In the House report referred to, your committee find a com-

parative statement of cures effected in homeopathic and allopathic hospitals and private charities.

They observe that the dates of the various statements range from 1814 up to 1855, and by taking the reports of mortality in allopathic hospitals in years when severe and fatal epidemics prevailed, and comparing them with reports of homeopathic institutions in years in which no such epidemics did prevail, a most unfair inference is drawn.

Your committee trust that enough has been said to show what amount of reliance ought to be placed upon the House report before them, and would here again express their regret that the report of the judiciary committee which, with this bill, was referred to them was placed beyond their reach, and that the short time allowed them to make this report entirely precluded the possibility of obtaining it in season to review its legal points. Their regret, however, is greatly moderated by the consideration that, in most of its other statements and arguments, it so closely resembles an old document with which they are familiar (and which has been often reported), as to afford another proof that "great men often think and write alike."

In conclusion, your committee would state that, in their opinion, this bill is unworthy the consideration of the Senate, and recommend that it do not pass, and ask to be discharged from its further consideration.

All of which is respectfully submitted.

N. WEBB,

*In behalf of Committee on Public Instruction.*

The report was accepted and the committee discharged.

Mr. Gale moved that 500 extra copies of the report be ordered printed for the use of the Senate.

Mr. Brown moved to amend by adding, "also, 500 extra copies of the report of the committee on the judiciary, on the same subject;"

Which amendment was accepted, and the motion prevailed.

The bill was ordered to a third reading.

By the committee on towns and counties :

The committee on division of towns and counties, to whom was referred House bill, being

A bill to restore certain sections of land in the township of Ira, to the township of Cottrellville, in the county of St. Clair,

Respectfully report the same back, with a request that, the same do pass, and ask to be discharged from the further consideration thereof.

CHARLES V. DELAND, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee:

The committee on division of towns and counties, to whom was referred remonstrance of Stephen Pearl and 102 other citizens, against the passage of any laws impairing the boundaries of Clinton and other counties,

Report that they have had the subject under consideration, and submitted a report adverse to changing the boundaries of organized counties, for many good and obvious reasons, and being convinced that no such action is intended or will be countenanced by the Legislature, return said remonstrance and recommend that they, and all other papers relating to the subject heretofore presented, be laid on the table.

CHARLES V. DELAND, *Chairman.*

The report was accepted, the committee discharged, and the bill laid on the table.

By the committee on roads and bridges :

The committee on roads and bridges, to whom was referred

A bill to provide for laying out and establishing highways on lines dividing this from other States,

Have had the same under consideration, and respectfully report the same back to the Senate without amendment and recommend that it do pass, and ask to be discharged from a further consideration of the same.

All of which is respectfully submitted.

N. GREEN, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on finance :

The committee on finance, to whom was referred

Joint resolution relative to the compensation of the fireman for the House of Representatives,

Have had the same under consideration, and report the same back without recommendation, and ask to be discharged from the further consideration of the same.

H. P. BALDWIN, *Chairman*.

The report was accepted and the committee discharged.

Mr. Strickland moved to amend the joint resolution by inserting "and of the Senate," after the word "Representatives."

Mr. Stout moved to amend so as to include the messengers of each House;

Which motion did not prevail.

The motion to insert "and of the Senate" prevailed.

Mr. Stout moved that the joint resolution be indefinitely postponed;

Which motion did not prevail, the following being the vote thereon :

#### YEAS.

Mr. Baldwin,  
Briggs,  
Carpenter,  
French,  
Gale,

Mr. Galloway,  
Hazen,  
Lacy,  
Mulholland,  
Owen,

Mr. Stout,  
Tower,  
Wilder,  
Withey,

14

#### NAYS.

Mr. Adair,  
Backus,  
Bailey,  
Baker,  
Brown,

Mr. Coulter,  
DeLand,  
Green,  
Jones,  
Lane,

Mr. McDermid,  
Monroe,  
Near,  
Strickland,  
Webb,

15

Mr. DeLand moved to strike out all after the enacting clause, and insert the following :

"That the firemen of the Senate and House of Representatives shall be entitled to receive, as compensation for extra services, the sum of twenty-five dollars each."



Mr. Stout moved that the joint resolution be recommitted to the committee on finance.

Mr. Hazen moved the previous question, and the main question was ordered.

The motion to recommit prevailed by the following vote:

## YEAS.

Mr. Bailey,	Mr. Galloway,	Mr. Owen,	
Baker,	Hazen,	Stout,	
Briggs,	Jones,	Tower,	
French,	Lacy,	Wilder,	
Gale,	Mulholland,	Withey,	15

## NAYS.

Mr. Adair,	Mr. DeLand,	Mr. Near,	
Backus,	Lane,	Strickland,	
Butterfield,	McDermid,	Williams,	
Coulter,	Monroe,		11

## MESSAGE FROM THE GOVERNOR:

The President announced the following:

EXECUTIVE OFFICE,  
Lansing, March 12, 1861. }

To the Senate:

I am prepared to submit a nomination for Adjutant General whenever it shall suit the convenience of the two Houses to go into joint convention to receive it.

AUSTIN BLAIR.

The message was laid on the table.

Mr. DeLand offered the following:

*Whereas*, The Governor, by communication to the Senate, has announced his readiness to nominate a person for the office of Adjutant General, for the consideration of a joint convention of this Legislature; therefore

*Resolved*, (if the House concur,) That the two Houses will meet in joint convention to receive and consider any nominations the Executive may submit, this evening at 7 o'clock.

Which resolution was adopted.

## SPECIAL ORDER.

On motion of Mr. Hazen,  
Senate bill No. 173, being

A bill to provide for the drainage and reclamation of swamp lands by means of State roads and ditches,

Was taken up, the same being the special order.

Mr. Galloway moved that the following be added to the last section:

*Provided*, That the lands donated by this act shall be located in the counties through which the several roads are made, and in no other;

Which motion did not prevail.

Mr. Briggs moved to add to section 1 the following:

23. A road from the village of South Haven, in Van Buren county, to the village of Breedsville, in Van Buren county, to be known as the South Haven and Breedsville State road;

Which motion prevailed.

Mr. Carpenter moved to add to section 1, the following: "from Blissfield, in Lenawee county, to Ottawa Lake, in Monroe county, to be call the Cottonwood Swamp State Road;"

Which motion prevailed.

Mr. French moved to add to section 1, the following: "a road from the village of Homer, in the county of Calhoun, easterly to the east line of said county, to be known as the Homer and Pennsylvania Settlement State Road; a road from the south-east corner of section seven, in the township of Homer, county of Calhoun, west on section line to the center of the township of Clarendon, in said county, to be known as the Homer and Clarendon State road;"

Pending which motion,

The Senate took a recess till this afternoon at 2 o'clock.

#### AFTERNOON SESSION.

The Senate was called to order at 2 o'clock.

Roll called : a quorum present.

The President announced the following:

## MESSAGES FROM THE OTHER HOUSE.

HOUSE OF REPRESENTATIVES,  
Lansing, March 12, 1861.

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following entitled bill:

A bill to confer certain powers upon the board of supervisors of the counties of Marquette and Chippewa,

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill read twice and referred to the committee on towns and counties.

Also the following:

HOUSE OF REPRESENTATIVES,  
Lansing, March 11, 1861.

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following:

A bill giving to lumbermen a lien on logs for their personal services,

Which has passed the House by a majority vote of all the members elect, in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill read twice and referred to the committee on the judiciary.

Also the following:

HOUSE OF REPRESENTATIVES,  
Lansing, March 12, 1861.

*To the President of the Senate:*

SIR:—I am instructed by the House to re-transmit the following:

A bill to organize the township of Hancock, in Houghton county,

And to inform the Senate that the House does not concur in the amendments made by the Senate thereto.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives*

The message and bill were laid on the table.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 11, 1861. }

*To the President of the Senate :*

SIR—I am instructed by the House to transmit the following:

1. A bill to prevent fishing with seines, nets and spears, in the lakes known as Devil's lake, and Round lake, in Lenawee county ;

2. A bill in relation to issuing of capiases, in criminal proceedings ;

3. A bill to amend sections 14 and 16, and to repeal section 15, of chapter 134, of the compiled laws, relating to the action of ejectment ;

4. A bill to amend sections 190 and 211, of chapter 117, of the compiled laws, in relation to appeals from justices' courts ;

5. A bill giving to circuit courts jurisdiction by information, in the nature of a quo warranto, in certain cases ;

Which have passed the House by a majority vote of all the members elect, in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives*

The message was laid on the table, and the several bills were read twice, the first ordered to a third reading, and the second, third, fourth and fifth, referred to the committee on the judiciary.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 12, 1861. }

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following bill:

A bill to provide for the preservation of the Muskegon river improvements, and to authorize tolls for the same,

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill read twice and referred to the committee on internal improvement.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 11, 1861. }

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following: House bill No 156, being

A bill to provide for the purchase of a collection of the township laws of this State,

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill read twice and referred to the committee on towns and counties.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
 Lansing, March 11, 1861. }

*To the President of the Senate :*

SIR:—I am instructed by the House to transmit the following bill:

A bill appropriating certain highway taxes for the improvement of a road in the counties of Eaton and Ionia,

Which has passed the House by a majority vote of all the members elect, and by a vote of two thirds of all the members elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill read twice and referred to the committee on roads and bridges.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
 Lansing, March 11, 1861. }

*To the President of the Senate :*

SIR:—I am instructed by the House to transmit the following:

A bill to regulate fisheries in the waters of the State of Michigan,

Which has passed the House by a majority vote of all the members elect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill read twice, and referred to the committee on State affairs.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
 Lansing, March 11, 1861. }

*To the President of the Senate :*

SIR:—I am instructed by the House to transmit the following:

1. A bill to amend section 818, of the compiled laws, to extend the time for completing tax rolls in the several townships;

2. A bill to amend section 23, of chapter 106, of the revised statutes of 1846, being section 4461, of the compiled laws, in relation to sales of goods on execution pledged by way of mortgage;

3. A bill to provide for the erection and maintenance of abutments for the passage of fish through the dams across the streams of this State;

Which have passed the House by a majority vote of all the members elect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the several bills read twice and referred as follows: The first to the committee on finance, the second to the committee on judiciary, and the third to the committee on State affairs.

The President also announced the following:

HOUSE OF REPRESENTATIVES,  
Lansing, March 11, 1861. }

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following:

1. A bill authorizing the Auditor General to pay Robert P. Sinclair the money received for the redemption of land sold for taxes;

2. A bill to amend sections 3, 4, 5 and 12, of an act entitled an act authorizing the commissioners of highways of townships to establish water courses, and locate ditches, in certain cases, approved February 18, 1859;

3. A bill to legalize a certain highway in township number 4 south, range number 7 west;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members

elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the several bills read twice, the first and third ordered to a third reading, and the second referred to the select committee, composed of Senators Owen, Carpenter and Mulholland.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 11, 1861. }

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following:

1. A bill to amend section 2, chapter 119, of the revised statutes, being section 3967 of the compiled laws;

2. A bill to prevent officers and clerks in the State land office from purchasing lands while in the employ of the State;

Which have passed the House by a majority vote of all the members elect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, the bills were read twice and referred to the committee on the judiciary.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 11, 1861. }

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following entitled bills:

1. A bill to amend section 63, of chapter 60, of the revised statutes of 1846, being section 2505 of the compiled laws, relative to trespasses on the public lands;

2. A bill to regulate proceedings in certain cases of nuisance;



3. A bill to provide for the expenses of the trial of persons holding, or who have held State offices, for malfeasance in office;

4. A bill to amend chapter 17 of the compiled laws, and an act amendatory thereto, approved February 4, 1858, by adding a new section thereto, to be numbered section 159;

Which have passed the House by a majority vote of all the members elect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the several bills were read twice, the first ordered to a third reading, the second referred to the committee on internal improvement, and the third and fourth to the committee on the judiciary.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, March 11, 1861. }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following:

A bill to amend sections 3520, 3521 and 3522, of chapter 115, of the compiled laws, concerning the abatement and revivor of suits in chancery,

And to inform the Senate that the House has receded from the amendments thereto made by the House.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, March 11, 1861. }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following entitled bill: ,

A bill for the apportionment of Senators in the State Legislature,

Which the House has amended as follows: In thirty-first district strike out the word "Manitou." In thirty-second district strike out the words "except the county of Manitou."

In the passage of which, as so amended, the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the amendments were concurred in by the following vote:

YEAS.

Mr. Adair,	Mr. Galloway,	Mr. Near,	
Backus,	Green,	Owen,	
Baker,	Hazen,	Stout,	
Briggs,	Jones,	Strickland,	
Butterfield,	Lacy,	Tower,	
Carpenter,	Lane,	Webb,	
Coulter,	McDermid,	Wilder,	
French,	Monroe,	Williams,	
Gale,	Mulholland,	Withey,	27

NAYS.

Mr. DeLand,

1

The bill was ordered to be enrolled.

Also the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, March 11, 1861. }

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following:

1. A bill to provide for the better security of mechanics and others, erecting buildings in this State ;
2. A bill to attach certain unorganized territory to the county of Marquette ;
3. A bill vesting with police powers, marshals and their deputies, at State and county fairs ;
4. A bill to provide for referring orders in chancery ;

Which have passed the House by a majority vote of all the

members elect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives*

The message was laid on the table, and the several bills were read twice and referred as follows: the first, third and fourth to the committee on the judiciary, and the second to the committee on towns and counties.

Also the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 12, 1861. }

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following bill:

A bill to provide for a female college, as a branch of the University of Michigan,

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill referred to the committee on public instruction.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 12, 1861. }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following concurrent resolution:

Whereas, The Governor, by communication to the Senate, has announced his readiness to nominate a person for the office of Adjutant General for the consideration of a joint convention of this Legislature; therefore

*Resolved, (if the House concur,) That the two Houses will.*

meet in joint convention, to receive and consider any nominations the executive may submit, this evening at seven o'clock; In the passage of which the House has concurred.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, March 12, 1861. }

*To the President of the Senate :*

SIR:—I am instructed by the House to transmit the following:

A bill to provide a military force,

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill read twice and referred to the committee on militia.

Also the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 12, 1861. }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following entitled bill :

A bill making appropriations for the support of the State Agricultural College,

Which the House has amended by adopting the accompanying substitute therefor, entitled

A bill making appropriations for the support of the State Agricultural College, and the board of agriculture,

In the passage of which, as thus amended, the House has concurred by a majority vote of all the members elect, and has or-

dered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the substitute was not concurred in, the following being the vote thereon:

YEAS.

Mr. Baldwin,	Mr. Hazen,	Mr. Monroe,	
DeLand,	Jones,	Mulholland,	
French,	Lacy,	Stout,	
Galloway,	Lane,	Webb,	12

NAYS.

Mr. Adair,	Mr. Butterfield,	Mr. Near,	
Backus,	Carpenter,	Strickland,	
Bailey,	Coulter,	Tower,	
Baker,	Gale,	Wilder,	
Briggs,	Ingersoll,	Williams,	
Brown,	McDermid,	Withey,	18

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, March 11, 1861.* }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following:

A bill to amend an act entitled an act to provide for the drainage and reclamation of swamp lands by means of State roads and ditches, approved February 12, 1859, by adding thereto sections 13, 14, 15, 16, 17, 18, 19, 20 and 21;

To which the House has made sundry amendments, and which are attached thereto, and in which the Senate is asked to concur.

In the passage of which, as amended, the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table.

Also the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, March 11, 1861. }

To the President of the Senate :

SIR;—I am instructed by the House to re-transmit the following bill :

A bill to amend an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 14, 1853, and an act amendatory thereto, approved February 4, 1858,

And to inform the Senate that the House does not concur in the substitute in the Senate.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives*

The message was laid on the table.

Mr. Brown moved that the Senate recede.

Mr. Carpenter moved to lay the motion on the table;

Which motion did not prevail, the following being the vote thereon :

YEAS.

Mr. Baker,  
Carpenter,  
Gale,  
Hazen,

Mr. Jones,  
Lane,  
McDermid,  
Near,

Mr. Strickland,  
Tower,  
Wilder,  
Williams, 12

NAYS.

Mr. Adair,  
Backus,  
Bailey,  
Baldwin,  
Briggs,  
Brown,

Mr. Butterfield,  
DeLand,  
French,  
Galloway,  
Green,  
Lacy,

Mr. Monroe,  
Mulholland;  
Stout,  
Webb,  
Withey,

11

Mr. Baldwin moved that a committee be appointed, to confer with a like committee on the part of the House, on the matter of difference between the two Houses ;

Which motion prevailed.

Senators elect, and in all of which the concurrence of the House is respectfully asked

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The first bill was read a first and second time by its title, and referred to the committee on towns and counties.

The second bill was read a first and second time by its title, and referred to the committee on ways and means.

Also the following :

SENATE CHAMBER,  
*Lansing, March 7, 1861.* }

*To the Speaker of the House of Representatives :*

SIR:—I am instructed to return to the House the following entitled bills :

1. A bill to authorize the Jackson County Agricultural Society to borrow money and mortgage certain real estate to secure the payment of the same;
2. A bill making the action of trespass transitory, in certain cases ;
3. A bill to organize the county of Keweenaw;
4. A bill authorizing the Auditor General to issue second tax deeds in certain cases;
5. A bill to amend an act entitled an act to organize the Michigan asylum for the insane, and more effectually to provide for the care, maintenance and recovery of the insane;
6. A bill to repeal an act entitled an act to reorganize the county of Emmett, approved February 3, 1858;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the Senators elect.

Very respectfully,

A. B. TURNER,

*Secretary of the Senate.*

The several bills were referred to the committee on engrossment and enrollment for enrollment.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Warner moved that the committee of the whole be discharged from the further consideration of House bill No. 174, being

A bill to provide for the construction of State roads in the Upper Peninsula, under the provisions of an act entitled an act to provide for the draining and reclamation of swamp lands by means of State roads and ditches, approved Feb. 12th, 1859, and an act amendatory thereto, approved March, 1861;

Which motion prevailed.

On motion of Mr. Warner,

The bill was placed on the order of third reading.

Mr. Joy moved to take from the table House joint resolution No. 7, entitled

Joint resolution for the relief of the Detroit locomotive works;

Which motion prevailed.

The joint resolution was then placed on the order of third reading.

Mr. Atwood moved that the committee of the whole be discharged from the further consideration of House bill No. 136, being

A bill to amend sec. 75, chapter 16, of revised statutes, 1846, being sec. 567 of the compiled laws, relative to the duties of township clerk;

Which motion prevailed.

On motion of Mr. Atwood,

The bill was placed on the order of third reading.

Mr. Wright moved that the committee of the whole be discharged from the further consideration of House bill No. 171, being

A bill to attach the county of Manitou to the county of Wayne for certain judicial purposes;

Which motion prevailed.

On motion of Mr. Lockwood,



The bill was placed on the order of third reading.

Mr. Gilbert moved that the committee of the whole be discharged from the further consideration of the "general order ;"

Which motion prevailed.

Mr. Tibbits moved that the several bills be placed on the order of third reading ;

Which motion did not prevail.

Mr. Gilbert moved to reconsider the vote by which the House was discharged from the further consideration of the "general order ;"

Which motion prevailed.

The question then recurring on the motion to discharge the committee of the whole from the further consideration of the "general order,"

The motion did not prevail.

Mr. Shank offered the following :

*Resolved*, That the Sergeant-at-Arms be directed to place a light at the east steps of this House, and also at the steps at the end of the walk leading to Washington avenue, during the evening sessions of this House ;

Which motion prevailed.

#### THIRD READING OF BILLS AND JOINT RESOLUTIONS.

Senate bill, entitled

A bill to amend an act entitled an act to authorize proceedings against garnishees and for other purposes, approved March 28, 1849, being chapter 141, compiled laws,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Adams,  
Alexander,  
Atwood,  
Baker,  
Beamer,  
Brownell,  
Bunce,  
Chase,

Mr. Gregory,  
N. K. Green,  
Hadley,  
Henderson,  
Hemingway,  
Hill,  
Hodges,  
Hood,

Mr. Pringle,  
Ramsdell,  
Rankin,  
Read,  
Sessions,  
Shank,  
Shanahan,  
Smith,

Childs,  
Choate,  
Chapoton,  
Couley,  
Cox,  
Crego,  
Cutcheon,  
C. Davis,  
Ira Davis,  
Douglas,  
Fallass,  
Follett,  
Foote,  
Fowle,  
Gilbert,  
Goodrich,

Howell,  
Hurd,  
Jones,  
Joy,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Morrison,  
Moore,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,  
Pratt,

W. N. Stevens.  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Warner,  
Waterbury,  
Wetherby,  
Wheeler,  
Wright,  
Speaker, 72

## NAYS.

Mr. Miller,  
J. B. Wilson,

Mr. Winans,

Mr. Woodward,

4

Title agreed to.

House bill No. 128, entitled

A bill to amend sections 4742, 4747 and 4748, of the compiled laws, relating to proceedings against debtors by attachment,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Atwood,  
Baker,  
Beamer,  
Brownell,  
Chase,  
Childs,  
Choate,  
Cooley,  
Cutcheon,  
C. Davis,  
Douglas,  
Fallas,  
Follett,  
Gilbert,  
Goodrich,  
Gregory,  
A. L. Green,

Mr. N. K. Green,  
Hadley,  
Henderson,  
Hemingway,  
Hodges,  
Hood,  
Hurd,  
Joy,  
Lockwood,  
Persons,  
Phelps,  
Piper,  
Pratt,  
Pringle,  
Rankin,  
Read,  
Sessions,

Mr. Shank,  
Shanahan,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Wallin,  
Waterbury,  
Wetherby,  
Wheeler,  
T. M. Wilson,  
Wright,  
Speaker,

50

## NAYS.

Mr. Adams,  
Alexander,  
Bunce,  
Chapoton,  
Cox,  
Crego,  
A. W. Davis,  
Ira Davis,  
Foote,  
Fowle,

Mr. Hill,  
Howell,  
Jones,  
Kanouse,  
Kelsey,  
Leetch,  
Miller,  
Morrison,  
Moore,

Mr. Peters,  
Peterson,  
Ramsdell,  
Stoddard,  
Wade,  
Warner,  
J. B. Wilson,  
Winans,  
Woodward,

28

Title agreed to.

Senate bill, entitled

A bill to amend an act entitled an act to amend an act to incorporate the village of Kalamazoo, and the acts amendatory thereto, approved April 1st, 1850, and the acts amendatory thereto,

Being under consideration,

On motion of Mr. Read,

The reading of the bill *in extenso* was dispensed with.

The bill was then read a third time, by its title, and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Adams,  
Alexander,  
Baker,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Choate,  
Chapoton,  
Cooley,  
Cox,  
Crego,  
Cutcheon,  
C. Davis,  
Ira Davis,  
Douglas,  
Fallas,  
Follett,

Mr. N. K. Green,  
Hadley,  
Henderson,  
Hill,  
Hodges,  
Howell,  
Hurd,  
Jones,  
Joy,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Miller,  
Morrison,  
Moore,  
Persons,  
Peters,

Mr. Rankin,  
Read,  
Sessions,  
Shank,  
Shanahan,  
Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Warner,  
Waterbury,  
Wetherby,

Footo,  
Fowle,  
Gilbert,  
Goodrich,  
Gregory,  
A. L. Green,

Peterson,  
Phelps,  
Piper,  
Pratt,  
Pringle,  
Ramsdell,

Wheeler,  
J. B. Wilson,  
Winans,  
Woodward,  
Wright,  
Speaker, 72

# NAYS.

Mr. A. W. Davis, Mr. Taylor, 2

The question being upon agreeing to the title,

Mr. Read offered the following as a substitute therefor:

"A bill to re-incorporate the village of Kalamazoo, and to repeal all inconsistent acts and parts of acts."

Mr. Howell moved to strike out all after the word "Kalamazoo;"

Which motion did not prevail.

The substitute for the title was then adopted, and the title, as amended, agreed to.

On motion of Mr. Read,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 118, entitled

A bill to authorize religious, eleemosynary and other corporations, not municipal, to sell, convey, exchange or mortgage real estate for certain purposes,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

# YEAS.

Mr. Alexander,  
Baker,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Choate,  
Cox,  
Orego,  
Cutcheon,  
O. Davis,  
Ira Davis,  
Douglas,

Mr. Hemingway,  
Hill,  
Hodges,  
Hood,  
Hurd,  
Jones,  
Joy,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Miller,  
Morrison,

Mr. Read,  
Sessions,  
Shanahan,  
Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Wade,

Fallass,  
Follett,  
Foote,  
Fowle,  
Gilbert,  
Goodrich,  
Gregory,  
A. L. Green,  
N. K. Green,  
Hadley,  
Henderson,

Moore,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,  
Pratt,  
Pringle,  
Ramsdell,  
Rankin,

Wallin,  
Warner,  
Waterbury,  
Wetherby,  
Wheeler,  
T. M. Wilson,  
J. B. Wilson,  
Winans,  
Woodward,  
Wright,

70

## NAYS.

Mr. Adams,  
Beamer,

Mr. Shank,

Mr. Speaker,

4

Title agreed to.

On motion of Mr. Pringle,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill, entitled

A bill to restore certain sections of land to the township of Cottrellville, in the county of St. Clair,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Adams,  
Alexander,  
Baker,  
Beamer,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Choate,  
Cooley,  
Crego,  
Cutcheon,  
C. Davis,  
Ira Davis,  
Douglas,  
Fallass,  
Follett,  
Foote,  
Fowle,

Mr. N. K. Green,  
Hadley,  
Henderson,  
Hemingway,  
Hill,  
Hodges,  
Hood,  
Hurd,  
Jones,  
Joy,  
Kanouse,  
Kelsey,  
Lockwood,  
Miller,  
Morrison,  
Moore,  
Persons,  
Peters,  
Peterson,

Mr. Ramsdell,  
Rankin,  
Read,  
Sessions,  
Shank  
Shanahan,  
Smith,  
W. N. Stevens  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Wade,  
Warner,  
Waterbury,  
Wheeler,

Gilbert,  
Goodrich,  
Gregory,  
A. L. Green,

Phelps,  
Piper,  
Pratt,  
Pringle,

J. B. Wilson,  
Winans,  
Wright,  
Speaker, 69

## NAYS.

Mr. Wallin, Mr. T. M. Wilson, Mr. Woodward, 3

Title agreed to.

On motion of Mr. Smith,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 29, entitled

A bill to provide for the signing of decrees, records, and journals of courts of record,

Being under consideration,

Mr. Howell moved to recommit the bill to the committee on judiciary, with instructions to strike out section two;

Which motion did not prevail.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Adams,  
Alexander,  
Baker,  
Beamer,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Choate,  
Cooley,  
Crego,  
Cutcheon,  
C. Davis,  
Ira Davis,  
Douglas,  
Follett,  
Foote,  
Fowle,  
Gilbert,  
Goodrich,

Mr. N. K. Green,  
Hadley,  
Henderson,  
Hemingway,  
Hill,  
Hodges,  
Hood,  
Hurd,  
Joy,  
Kanouse,  
Kelsey,  
Lockwood,  
Morrison,  
Moore,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,  
Pratt,

Mr. Ramadell,  
Rankin,  
Sessions,  
Shank,  
Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Warner,  
Waterbury,  
Wheeler,  
T. M. Wilson,  
Wright,

Gregory,  
A. L. Green,

Pringle,

Speaker,

64

### NAYS.

Mr. A. W. Davis,  
Howell,  
Jones,

Mr. Miller,  
Shanahan,  
J. B. Wilson,

Mr. Winans,  
Woodward,

8

Title agreed to.

House bill No. 124, entitled

A bill to provide for laying out and establishing highways on  
lines dividing this from other States,

Was read a third time and passed, a majority of all the mem-  
bers elect voting therefor, by yeas and nays, as follows:

### YEAS.

Mr. Adams,  
Alexander,  
Baker,  
Beamer,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Choate,  
Chapoton,  
Cooley,  
Cox,  
Crego,  
Cutcheon,  
A. W. Davis,  
C. Davis,  
Ira Davis,  
Douglas,  
Follett,  
Foote,  
Fowle,  
Gilbert,  
Goodrich,  
Gregory,

Mr. A. L. Green,  
N. K. Green,  
Hadley,  
Henderson,  
Hemingway,  
Hill,  
Hodges,  
Hood,  
Howell,  
Hurd,  
Jones,  
Joy,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Miller,  
Morrison,  
Moore,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,

Mr. Pratt,  
Rankin,  
Read,  
Sessions,  
Shank,  
Shanahan,  
Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Warner,  
Wheeler,  
T. M. Wilson,  
J. B. Wilson,  
Woodward,  
Wright,  
Speaker,

72

### NAYS.

0

Title agreed to.

House bill, entitled

A bill making appropriations for the support of the State nor-  
mal school,

Being under consideration,

Mr. Cutcheon moved to recommit the bill to the committee on ways and means, with instructions so to amend the same as to make an appropriation of \$1,000 for the purchase of books to supply, in part, the place of the library recently burned;

Mr. Cutcheon demanded the yeas and nays.

The demand was seconded, and the motion did not prevail, by yeas and nays, as follows:

#### YEAS.

Mr. Adams,	Mr. Gregory,	Mr. Pratt,
Alexander,	Hadley,	Rankin,
Baker,	Henderson,	Read,
Bunce,	Hill,	Shank,
Childs,	Howell,	Stewart,
Cox,	Hurd,	Taylor,
Crego,	Kanouse,	Wade,
Cutcheon,	Leetch,	Wallin,
Follett,	Persons,	Waterbury,
Goodrich,	Peterson,	Winans,

30

#### NAYS.

Mr. Beamer,	Mr. N. K. Green,	Mr. Shanahan,
Brownell,	Hemingway,	Smith,
Chase,	Hodges,	W. N. Stevens,
Choate,	Hood,	Stoddard,
Chapoton,	Jones,	Strong,
Cooley,	Joy,	Tibbits,
A. W. Davis,	Lockwood,	Toll,
C. Davis,	Miller,	Warner,
Ira Davis,	Morrison,	Wheeler,
Douglas,	Moore,	T. M. Wilson,
Foots,	Phelps,	J. B. Wilson,
Fowle,	Piper,	Woodward,
Gilbert,	Ramsdell,	Wright,
A. L. Green,	Sessions,	Speaker,

49

The question recurring upon the passage of the bill, it was passed, two-thirds of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Adams,	Mr. N. K. Green,	Mr. Pringle,
Alexander,	Hadley,	Ramsdell,
Baker,	Henderson,	Rankin,
Beamer,	Hemingway,	Read,



Brownell,  
 Bunce,  
 Chase,  
 Childs,  
 Choate,  
 Chapoton,  
 Crego,  
 Cutcheon,  
 A. W. Davis,  
 G. Davis,  
 Ira Davis,  
 Fallass,  
 Follett,  
 Foote,  
 Fowle,  
 Gilbert,  
 Goodrich,  
 Gregory,  
 A. L. Green,

Hill,  
 Hodges,  
 Hood,  
 Howell,  
 Hurd,  
 Joy,  
 Kanouse,  
 Kelsey,  
 Leetch,  
 Lockwood,  
 Miller,  
 Morrison,  
 Moore,  
 Persons,  
 Peterson,  
 Phelps,  
 Piper,  
 Pratt,

Sessions,  
 Shank,  
 Shanahan,  
 Smith,  
 W. N. Stevens,  
 Stoddard,  
 Strong,  
 Tibbits,  
 Toll,  
 Wade,  
 Wallin,  
 Warner,  
 Waterbury,  
 Wheeler,  
 J. B. Wilson,  
 Winans,  
 Woodward,  
 Wright,

67

## NAYS.

Mr. Cooley,  
 Douglas,

Mr. T. M. Wilson,

Speaker,

4

Title agreed to.

House bill No. 117, being

A bill to amend and add to chapter 132, of compiled laws,  
 entitled of homestead exemptions,

Being under consideration,

On motion of Mr. Tibbits,

The reading of the bill *in extenso* was dispensed with.

The bill was then read a third time, by its title, and passed,  
 a majority of all the members elect voting therefor, by yeas and  
 nays, as follows :

## YEAS.

Mr. Adams,  
 Alexander,  
 Baker,  
 Beamer,  
 Bunce,  
 Chase,  
 Childs,  
 Choate,  
 Chapoton,

Mr. N. K. Green,  
 Hadley,  
 Henderson,  
 Hemingway,  
 Hill,  
 Hodges,  
 Hood,  
 Howell,  
 Hurd,

Mr. Ramsdell,  
 Rankin,  
 Read,  
 Sessions,  
 Shank,  
 Shanahan,  
 Smith,  
 W. N. Stevens,  
 Stoddard,

Crego,  
Cutcheon  
C. Davis,  
Ira Davis,  
Douglas,  
Fallass,  
Follett,  
Foote,  
Fowle,  
Gilbert,  
Goodrich,  
Gregory,  
A. L. Green,

Joy,  
Kanouse,  
Leetch,  
Lockwood,  
Morrison,  
Moore,  
Persons,  
Peters,  
Peterson,  
Phelps, .  
Piper,  
Pratt,  
Pringle,

Strong,  
Taylor,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Warner,  
Waterbury,  
Wheeler,  
J. B. Wilson,  
Winans,  
Wright,  
Speaker, 66

NAYS.

Mr. Stewart, 1

Title agreed to.

House bill No. 121, entitled

A bill to authorize boards of health to dispose of real estate,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adams,  
Alexander,  
Baker,  
Beamer,  
Brownell,  
Bunce,  
Chase,  
Childs,  
Choate,  
Chapoton,  
Cox,  
Crego,  
Cutcheon,  
A. W. Davis,  
C. Davis,  
Ira Davis,  
Douglas,  
Fallass,  
Follett,  
Foote,  
Fowle,  
Gilbert,  
Goodrich,  
Gregory,

Mr. A. L. Green,  
Hadley,  
Henderson,  
Hill,  
Hodges,  
Hood,  
Howell,  
Hurd,  
Joy,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Miller,  
Morrison,  
Moore,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,  
Pratt, .  
Pringle,  
Ramadell,

Mr. Rankin,  
Sessions,  
Shank,  
Shanahan,  
Smith,  
W. N. Stevens,  
A. Stevens,  
Stewart,  
Stoddard,  
Strong,  
Taylor,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Warner,  
Waterbury,  
Wheeler,  
J. B. Wilson,  
Winans,  
Woodward,  
Wright,  
Speaker,

## NAYS.

0

Title agreed to.

House bill No. 122, entitled

A bill to protect the owners of sheep from damage done by dogs,

Was read a third time and a majority of all the members elect not voting therefor, it was not passed, by yeas and nays, as follows :

## YEAS.

Mr. Alexander,	Mr. Hadley,	Mr. Smith,
Beamer,	Hodges,	Stewart,
Bunce,	Howell,	Strong,
Childs,	Hurd,	Tibbits,
A. W. Davis,	Kanouse,	Wade,
C. Davis,	Leetch,	Wallin,
Ira Davis,	Morrison,	Warner,
Fallass,	Moore,	Waterbury,
Follett,	Piper,	Wheeler,
Fowle,	Rankin,	J. B. Wilson,
Gilbert,	Read,	Winans,
Goodrich,	Sessions,	Woodward,
A. L. Green,	Shank,	Wright,
N. K. Green,	Shanahan,	

41

## NAYS.

Mr. Adams,	Mr. Foote,	Mr. Phelps,
Baker,	Gregory,	Pringle,
Brownell,	Henderson,	W. N. Stevens,
Chase,	Hood,	A. Stevens,
Choate,	Joy,	Stoddard,
Cutcheon,	Lockwood,	Taylor,
Cox,	Persons,	Toll,
Crego,	Peters,	T. M. Wilson,
Douglas,	Peterson,	Speaker,

27

Pending the announcement of the vote,

Mr. Howell moved a call of the House;

Which motion did not prevail.

Mr. Pringle moved to reconsider the vote by which the House refused to pass the bill.

Mr. Crego moved to lay the motion to reconsider on the table.

Mr. Howell demanded the yeas and nays.

The demand was seconded, and the motion to lay the motion to reconsider on the table did not prevail, by yeas and nays, as follows :

## YEAS.

Mr. Chase,  
• Choate,  
Cooley,

Mr. Cox,  
Orego,  
Hood,

Mr. Miller,  
Stoddard,  
Taylor,

## NAYS.

Mr. Adams,  
Alexander,  
Baker,  
Beamer,  
Brownell,  
Bunce,  
Childs,  
Chapoton,  
Cutcheon,  
A. W. Davis,  
C. Davis,  
Ira Davis,  
Douglas,  
Fallas,  
Follett,  
Foote,  
Fowle,  
Gilbert,  
Goodrich,  
Gregory,  
A. L. Green,

Mr. N. K. Green,  
Hadley,  
Henderson,  
Hill,  
Hodges,  
Howell,  
Hurd,  
Jones,  
Joy,  
Kanouse,  
Kelsey,  
Leetch,  
Lockwood,  
Morrison,  
Moore,  
Persons,  
Peters,  
Peterson,  
Phelps,  
Piper,

Mr. Pringle,  
Ramsdell,  
Rankin,  
Sessions,  
Shank,  
Shannahan,  
Smith,  
Strong,  
Tibbits,  
Toll,  
Wade,  
Wallin,  
Warner,  
Wheeler,  
T. M. Wilson,  
J. B. Wilson,  
Winans,  
Woodward,  
Wright,  
Speaker,

61

The question recurring upon the motion to reconsider the vote whereby the House refused to pass the bill,

Mr. Pratt demanded the previous question.

The demand was seconded, and the main question ordered.

The motion to reconsider prevailed.

The question then recurring upon the passage of the bill,

Mr. A. Stevens moved to recommit the bill to the committee on agriculture and manufactures, with instructions to so amend the bill as to leave the power of legislation on dogs in the boards of supervisors of the respective counties;

Mr. Lockwood moved to amend the motion by recommitting the bill to a select committee of five without instructions;

Mr. Baker demanded the previous question ;

Mr. Childs moved a call of the House ;

Which motion did not prevail.

The main question was then ordered.

The question being upon the amendment to the motion to re-commit the bill,

The motion did not prevail.

The motion to recommit did not prevail.

The question recurring upon the passage of the bill it was passed, a majority of all the members elect voting therefor, by yeas and nays as follows :

## YEAS.

Mr. Alexander,	Mr. Hemingway,	Mr. Rankin,
Baker,	Hill,	Read,
Beamer,	Hodges,	Sessions,
Bunce,	Howell,	Shank,
Childs,	Hurd,	Shanahan,
Chapoton,	Jones,	Smith,
A. W. Davis,	Kanouse,	Stewart,
O. Davis,	Kelsey,	Strong,
Ira Davis,	Leetch,	Tibbits,
Fallass,	Morrison,	Wade,
Follett,	Moore,	Wallin,
Foote,	Persons,	Waterbury,
Fowle,	Peters,	Wheeler,
Gilbert,	Phelps,	J. B. Wilson,
Goodrich,	Piper,	Winans,
A. L. Green,	Pratt,	Woodward,
N. K. Green,	Ramsdell,	Wright,
Hadley,		

52

## NAYS.

Mr. Brownell,	Mr. Henderson,	Mr. W. N. Stevens,
Chase,	Hood,	Stoddard,
Choate,	Joy,	Taylor,
Cooley,	Lockwood,	Toll,
Cox,	Miller,	Warner,
Orego,	Peterson,	Speaker,
Douglas,	Pringle,	

20

Title agreed to.

On motion of Mr. J. B. Wilson,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Howell,

The House adjourned until 2 o'clock this afternoon.

—  
AFTERNOON SESSION.

2 o'clock P. M.

The House met pursuant to adjournment, and was called to order by the Speaker.

Roll called: quorum present.

The House resumed business under the order of

THIRD READING OF BILLS AND JOINT RESOLUTIONS.

Senate bill No. 102, entitled

A bill to authorize the board of supervisors of the county of Ontonagon, to raise money by tax, or otherwise, for the protection and improvement of the harbor at the mouth of the Ontonagon river,

Was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adams,	Mr. Gregory,	Mr. Rankin,
Atwood,	Hadley,	Read,
Baker,	Henderson,	Sessions,
Beamer,	Hemingway,	Shank,
Brownell,	Hill,	Smith,
Bunce,	Hodges,	W. N. Stevens,
Chase,	Hurd,	A. Stevens,
Childs,	Howell,	Stoddard,
Choate,	Jones,	Strong,
Chapoton,	Joy,	Taylor,
Cooley,	Kanouse,	Tibbits,
Cox,	Leetch,	Toll,
Crego,	Miller,	Wade,
Cutcheon,	Moore,	Warner,
Ira Davis,	Peterson,	Wetherby,
Douglas,	Peters,	T. M. Wilson,
Follett,	Peterson,	J. B. Wilson,
Foote,	Phelps,	Winans,
Fowle,	Piper,	Woodward,

Also the following:

HOUSE OF REPRESENTATIVES,  
Lansing, March 12, 1861. }

To the President of the Senate:

SIR:—I am instructed by the House to transmit the following:

1. A bill to amend an act entitled an act to incorporate the city of Jackson, approved February 14, 1857;

2. A bill to amend section 1 of an act entitled an act appropriating certain highway taxes for the improvement of a road in the counties of Saginaw, Tuscola, Genesee and Lapeer;

3. A bill to amend chapter 10 of the compiled laws, in relation to certain duties and compensations of county surveyors;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

Clerk of the House of Representatives.

The message was laid on the table, and the several bills read twice.

The first and second named bills were ordered to a third reading, and the third referred to the committee on the judiciary.

The President also announced the following:

HOUSE OF REPRESENTATIVES,  
Lansing, March 12, 1861. }

To the President of the Senate:

SIR:—I am instructed by the House to transmit the following bills:

1. A bill entitled an act to amend act 144, of the session laws of 1849, being an act to amend act No. 21, of session laws of 1858, it being an act to amend act No. 63, of session laws of 1857, entitled an act to lay out and establish a State road in the counties of Sanilac and Tuscola;

2. A bill to amend sections 11, 12 and 13, of chapter 22, of the

compiled laws, relative to laying out, altering or discontinuing public roads;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, the bills were read twice and referred to the committee on roads and bridges.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, March 11, 1861. }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following:

A bill to amend section 1661 of chapter fifty-two of the compiled laws, in relation to the manufacture and sale of spirituous or intoxicating liquors as a beverage,

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill was ordered to be enrolled.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 12, 1861. }

*To the President of the Senate :*

SIR:—I am instructed by the House to transmit the following bill:

A bill to amend an act entitled an act to provide for laying out a State road in Ionia, Kent and Barry counties, approved February 12th, 1859,

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members



elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill read twice and referred to the committee on roads and bridges.

#### REPORTS OF STANDING COMMITTEES.

By the committee on finance:

The committee on finance, to whom was referred

A bill to amend section 818, of the compiled laws, to extend the time for completing tax rolls in the several townships,

Have had the same under consideration, and report the same back with a recommendation that it do pass, and ask to be discharged from the further consideration of the same.

H. P. BALDWIN, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to regulate fisheries in the waters of this State;

Also,

A bill to provide for the erection and maintenance of shutes for the passage of fish through the dams across the streams of this State;

Report that they have had the same under consideration, and return the several bills to the Senate and recommend that they do pass, and ask to be discharged.

B. G. STOUT, *Chairman.*

The report was accepted, the committee discharged, and the bills ordered to a third reading.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred House bill, entitled

A bill appropriating certain highway taxes for the improvement of a road in the counties of Eaton and Ionia,

Would report that they have had the same under consideration, and have directed me to report the same back to the House, with a recommendation that it do pass, and ask to be discharged from the further consideration of the same.

JOHN G. OWEN, *for the Committee.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on public instruction:

The committee on public instruction, to whom was referred House bill making appropriations for the support of the State Normal School,

- Have had the same under consideration, and would respectfully report the same back to the Senate with the recommendation that it do pass.

S. L. WITHEY, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee:

The committee on public instruction, to whom was referred

A bill to enlarge union school district No. 2, in Pontiac, Oakland county,

Have had the same under consideration, and would respectfully report the same back to the Senate without recommendation.

S. L. WITHEY, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

#### MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Carpenter offered the following :

*Resolved,* (the House concurring,) That Aaron B. Turner, Secretary of the Senate, and Edward W. Barber, Clerk of the House of Representatives, be and they are hereby authorized and requested to compile and prepare for publication, and make indexes, and superintend the publication of the journals and documents of the present Legislature, and when completed and certified to by the Secretary of State, they shall be entitled to

and receive for said services, each, the sum of three hundred dollars.

Which was adopted.

On motion of Mr. Ingersoll,

Senate bill, entitled

A bill to amend sec. 5659 of the compiled laws, relative to fees for publishing legal notices and advertisements,

Was taken from the table.

The bill was not passed, a majority of all the Senators elect not voting therefor, as follows :

#### YEAS.

Mr. Backus,	Mr. DeLand,	Mr. Owen,	
Baker,	French,	Strickland,	
Brown,	Ingersoll,	Wilder,	
Butterfield,	Lacy,	Williams,	
Coulter,	Lane,	Withey,	15

#### NAYS.

Mr. Adair,	Mr. Galloway,	Mr. Monroe,	
Briggs,	Green,	Mulholland,	
Carpenter,	Jones,	Tower,	
Gale,	McDermid,	Wehb,	12

Mr. Williams moved to take from the table Senate bill, entitled

A bill to amend an act entitled an act to provide for the drainage of swamp lands by actual settlers, being act No. 229 of the session laws of 1859;

Which motion prevailed.

On motion of Mr. Ingersoll,

The bill was committed to the committee on public lands.

Mr. Williams moved to discharge the committee of the whole from the further consideration of Senate bill, No. 105, and the same be placed on the order of third reading;

Which motion prevailed.

On motion of Mr. Withey,

House bill No. 5 was taken from the table.

Sundry amendments were made and the bill was ordered to a third reading.

On motion of Mr. Withey,

Senate bill No. 99 was taken from the general order and placed on the order of third reading.

Mr. Lacey moved that House bill No. 37, being

A bill to provide for an additional circuit court commissioner in certain counties,

Be taken from the table;

Which motion prevailed,

Mr. DeLand moved to strike out "Jackson;"

Which motion prevailed.

Mr. Carpenter moved to strike out all the other counties named ;

Which motion prevailed.

Mr. Strickland moved to amend by striking out "the first Monday in April," and inserting "the first Tuesday after the first Monday in November;" also by striking out the word "one," in line 5, and inserting "two;"

Which motion prevailed.

The bill was then ordered to a third reading.

Mr. Green moved that Senate bill No. 126 be taken from the table and placed on the order of third reading;

Which motion prevailed.

Mr. Owen moved to take from the table House bill No. 33, being

A bill to provide for publishing the statistics of the State of Michigan, taken by authority of the United States, in the year one thousand eight hundred and sixty;

Which motion prevailed, and the same was ordered to a third reading.

Mr. Baker moved that Senate bill No. 146 be taken from the table and placed on the order of third reading;

Which motion prevailed.

Mr. DeLand moved to take from the table a bill to appropriate unpaid balance due on swamp lands, in Jackson county, to the drainage of the Portage marshes;

Which motion prevailed, and the same was ordered to a third reading.

Mr. Strickland moved to discharge the committee of the whole from the further consideration of Senate bill No. 94, and to place the same on the order of third reading ;

Which motion prevailed.

### THIRD READING.

Senate bill No. 137, entitled

A bill to lay out a State road from Pewamo, in the county of Ionia, by way of Matherton, to the centre of Isabella county, and appropriating State swamp lands thereon,

Was read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows:

### YEAS.

Mr. Adair,	Mr. Lacy,	Mr. Tower,	
Backus,	Monroe,	Webb,	
Coulter,	Mulholland,	Wilder,	
DeLand,			10

### NAYS.

Mr. Baldwin,	Mr. Green,	Mr. McDermid,	
Briggs,	Hazen,	Strickland,	
Carpenter,	Jones,	Williams,	
Gale,	Lane,	Withey,	
Galloway,			12

House bill No. 108, entitled

A bill to organize the county of Bleecker,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

### YEAS.

Mr. Adair,	Mr. Carpenter,	Mr. Lane,	
Backus,	Coulter,	McDermid,	
Baker,	DeLand,	Monroe,	
Baldwin,	Galloway,	Owen,	
Briggs,	Jones,	Webb,	
Butterfield,	Lacy,	Withey,	18

### NAYS.

Mr. Gale,	Mr. Wilder,	2
-----------	-------------	---

The title was agreed to, and the bill ordered to take immediate effect, by a vote of two-thirds of all said Senators.

Senate bill No. 118, entitled

A bill to grant 25,000 acres of State swamp land to the German-American Seminary, of the city of Detroit,

Came up for a third reading.

Mr. Briggs, leave being granted, moved to insert after "land," the words "in parcels of not less than 320 acres each."

Which motion prevailed.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

#### YEAS.

Mr. Backus,	Mr. Green,	Mr. Mulholland,
Baker,	Hazen,	Owen,
Baldwin,	Ingersoll,	Strickland,
Butterfield,	Jones,	Tower,
Carpenter,	Lacy,	Webb,
Coulter,	Lane,	Wilder,
DeLand,	McDermid,	Williams,
Gale,	Monroe,	Withey,
Galloway,		

25

#### NAYS.

Mr. Adair,	1
------------	---

The title was agreed to.

Senate bill No. 47, entitled

A bill to amend section 12, of chapter 23, of compiled laws, relative to the obstruction of the navigation of rivers and streams declared public highways,

Was read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows:

#### YEAS.

Mr. Backus,	Mr. Lacy,	Mr. Tower,
Baker,	Lane,	Webb,
Briggs,	McDermid,	Wilder,
Butterfield,	Monroe,	Williams,
Carpenter,	Owen,	Withey,
Green,	Strickland,	

17

#### NAYS.

Mr. Adair,	Mr. DeLand,	Mr. Jones,
Baldwin,	Galloway,	Mulholland,
Coulter,		

7

The title was agreed to.

Senate bill No. 51, entitled

A bill to amend certain sections of the primary school law,  
Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Backus,	Mr. Gale,	Mr. Strickland,
Baker,	Lacy,	Webb,
Briggs,	Lane,	Wilder,
Butterfield,	Owen,	Withey,
DeLand,		

13

## NAYS.

Mr. Adair,	Mr. Jones,	Mr. Mulholland,
Carpenter,	McDermid,	Tower,
Galloway,	Monroe,	Williams,

9

On motion of Mr. Strickland,

The vote was reconsidered.

The question being on the passage of the bill, the same was passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Backus,	Mr. Gale,	Mr. Owen,
Baldwin,	Galloway,	Strickland,
Briggs,	Green,	Webb,
Butterfield,	Ingersoll,	Wilder,
Carpenter,	Lacy,	Williams,
Coulter,	Lane,	Withey,
DeLand,	McDermid,	

20

## NAYS.

Mr. Adair,	Mr. Mulholland,	Mr. Tower,
Jones,		

4

The title was agreed to.

Senate bill No. 94, being

A bill to authorize the Auditor General to vacate and set aside certain tax sales and deeds thereon,

Came up for a third reading.

Mr. Strickland, leave being granted, moved to strike out of lines 4 and 5, the words "or for any other good and sufficient cause;"

Which motion prevailed.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. Galloway,	Mr. Owen,
Backus,	Green,	Strickland,
Baker,	Jones,	Tower,
Briggs,	Lacy,	Webb,
Butterfield,	Lane,	Wilder,
Carpenter,	McDermid,	Williams,
Coulter,	Monroe,	Withey
DeLand,	Mulholland,	

23

## NAYS.

Mr. Gale,

1

The title was agreed to.

Senate bill No. 105, entitled

A bill to authorize the board of supervisors of Cass county to raise money by tax, to maintain a bridge over St. Joseph river, in the town of Mottville, in the county of St. Joseph,

Came up for a third reading.

Sundry amendments were made, and the bill was laid on the table.

On motion of Mr. Carpenter,

The Senate adjourned till to-morrow morning, at 9 o'clock.

---

*Lansing, Wednesday, March 13, 1861.*

The Senate was called to order at 9 o'clock.

Prayer by Rev. Mr. Gillett.

Roll called : a quorum present.

## REPORTS OF STANDING COMMITTEES.

By the committee on internal improvements:

The committee on internal improvements, to whom was referred a manuscript House bill, entitled

A bill to provide for the preservation of the Muskegon river improvements, and to authorize tolls for the same;

Also, House bill No. 154, being

A bill regulating proceedings in certain cases of nuisance;



Have had said bills under consideration, and have instructed me to report the first named bill back to the Senate without recommendation, and the second named bill, your committee would report back to the Senate, with a recommendation that it do not pass, and ask to be discharged from the further consideration of the subject.

J. CARPENTER, *Chairman.*

The report was accepted, the committee discharged, and the first bill ordered to a third reading, and the last laid on the table.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to provide for improving a road from the village of Gaines to the village of Flushing, in Genesee county, and also remonstrances against the passage of the bill,

Have had the same under consideration and recommend that the bill do not pass, and ask to be discharged from the further consideration of the subject.

All of which is respectfully submitted.

N. GREEN, *Chairman.*

The report was accepted, the committee discharged, and the bill laid on the table.

By the same committee:

The committee on roads and bridges, to whom was referred

A bill to lay out and establish a State road from Fulkersons, in Kent county, to White River, in the county of Oceana,

Have had the same under consideration, and not being able to obtain any information on the subject, respectfully report that, in the opinion of the committee, it would be unwise for the legislature to dictate to the several townships where they shall expend their highway taxes. They therefore recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

All of which is respectfully submitted.

N. GREEN, *Chairman.*

The report was accepted, the committee discharged, and the bill laid on the table.

By the committee on militia:

The committee on militia, to whom was referred

A bill to provide a military force,

Have had the same under consideration, and have instructed me to report the same back to the Senate with a recommendation that it do pass, and ask to be discharged from its further consideration.

S. F. BROWN, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to amend an act entitled an act to provide for laying out a State road in Ionia, Kent and Barry counties, approved February 12th, 1859,

Have had the same under consideration, and recommend that the bill as amended by the House do pass, and ask to be discharged from a further consideration of the same.

All of which is respectfully submitted.

N. GREEN, *Chairman*.

The report was accepted, the committee discharged and the bill ordered to a third reading.

By the same committee:

The committee on roads and bridges, to whom was referred

A bill to amend act No. 144, of session laws of 1859, being an act to amend act No. 21, of session laws of 1858, it being an act to amend act No. 63, of session laws of 1857, entitled an act to lay out and establish a State road in the counties of Sanilac and Tuscola,

Would report that they have had the bill under consideration, and return it to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration thereof.

D. G. WILDER, *for the Committee*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on State affairs :

The committee on State affairs, to whom was referred

A bill to prevent officers and clerks in the State land office, and the auditor general's office from purchasing lands at such offices,

Respectfully report that they have had the same under consideration, and report the same to the Senate without amendment, and recommend its passage.

BYRON G. STOUT, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred House bill No. 162, being

A bill to amend section 23, of chapter 106, of the revised statutes of 1846, being section 4461, of the compiled laws, in relation to sales of goods on execution pledged by way of mortgage,

Have had the same under consideration, and would respectfully report the same back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee :

The committee on the judiciary, to whom was referred House bill No. 158, being

A bill to amend sections 190 and 211, of chapter 117, of the compiled laws, in relation to appeals from courts of justices of the peace,

Have had the same under consideration, and would respectfully report the same back to the Senate, with the recommendation that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee :

The committee on the judiciary, to whom was referred House bill No. 154, being

A bill vesting with police powers marshals and their deputies at State and county fairs,

Have had the same under consideration, and would respectfully report the same back to the Senate, with the recommendation that it do pass.

All which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee:

The committee on the judiciary, to whom was referred House bill No. 78, being

A bill giving to lumbermen a lien on logs and timber for their personal services,

Have had the same under consideration, and would respectfully report the same back to the Senate without recommendation, and ask to be discharged from the further consideration thereof.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee:

The committee on the judiciary, to whom was referred House bill, being

A bill to amend chapter 10 of the compiled laws, in relation to certain duties and compensations of county surveyors,

Have had the same under consideration, and would respect-

fully report the same back to the Senate, and recommend that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, committee discharged, and the bill ordered to a third reading.

By the same committee :

The committee on the judiciary, to whom was referred House bill No. 155, being

A bill to amend chapter 17 of the compiled laws, and an act amendatory thereto, approved Feb. 4th, 1858, by adding a new section thereto, to be numbered section 159,

Have had the same under consideration, and would respectfully report the same back to the Senate without recommendation, and ask to be discharged from the further consideration of the same.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill laid on the table.

By the same committee :

The committee on the judiciary, to whom was referred House bill No. 141, being

A bill to provide for referring orders in chancery,

Have had the same under consideration, and respectfully report the same back to the Senate, with the recommendation that it do not pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill laid on the table.

By the same committee :

The committee on the judiciary, to whom was referred House bill No. 159, being

A bill amending sections 3, 13 and 25, of chapter 150, of compiled laws, relating to conferring upon justices of the peace

jurisdiction in case of forcible entry and detainer, and forcible detainer only,

Have had the same under consideration, and would respectfully report the same back to the Senate without recommendation, and ask to be discharged from further consideration of the subject

All of which is respectfully submitted.

H. T. BACKUS, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee:

The committee on the judiciary, to whom was referred House No. 149, being

A bill giving to circuit courts jurisdiction by information in the nature of a quo warranto, in certain cases,

Have had the same under consideration, and would respectfully report the same back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee:

The committee on the judiciary, to whom was referred House bill No. 144, being

A bill to provide for the expenses of the trial of persons holding, or who may have held State offices, for malfeasance in office,

Respectfully report that they have had the same under consideration, report it back with the recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee:

The committee on the judiciary, to whom was referred House bill No. 161, being

A bill to amend sections 14 and 16, and to repeal section 15, of chapter 134, of the compiled laws, relating to the action of ejectment,

Have had the same under consideration, and would respectfully report the same back to the Senate, with the recommendation that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee:

The committee on the judiciary, to whom was referred

A bill to amend section 2, chapter 119 of the revised statutes of 1846, being section 3967 of the compiled laws,

Have had the same under consideration, and would respectfully report the same back to the Senate, and recommend that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee:

The committee on the judiciary, to whom was referred House bill No. 137, being

A bill relative to the issuing of capiases for witnesses in criminal proceedings,

Have had the same under consideration, and would respectfully report the same back to the Senate, with the recommendation that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee :

The committee on the judiciary, to whom was referred House bill No. 112, entitled

'A bill to authorize proceedings by garnishment in the circuit courts and district court of the Upper Peninsula,

Have had the same under consideration, and would respectfully report the same back to the Senate, with the recommendation that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee:

The committee on the judiciary, to whom was referred House bill No. 130, being

A bill to provide for the better security of mechanics and others, erecting buildings in this State,

Have had the same under consideration and would respectfully report, that the subject matter contemplated in said bill has already been reported upon by your committee, in a bill which more effectually protect the mechanic and other laborers, and which has already passed the Senate. Your committee, therefore, return the bill to the Senate with the recommendation that it do not pass, and ask to be discharged from the further consideration thereof.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill appropriating certain highway taxes in the county of Shiawassee for the improvement of the Corunna and Flushing State road;

Have had the same under consideration, and respectfully report that, in the opinion of the committee, the commissioners



of highways of the several towns can form a better judgment as to where the taxes should be expended for the interests of their township than this Legislature. They therefore report the bill back and recommend that it do not pass.

N. GREEN, *Chairman.*

The report was accepted, the committee discharged, and the bill laid on the table.

By the committee on finance:

The committee on finance, to whom was recommitteed

Joint resolution relative to the compensation of the fireman of the House of Representatives,

Report that the present pay of fireman of the respective Houses is now \$60 per month, and the resolution under consideration proposes to increase that sum to \$3 per diem, or \$90 per month. Your committee are credibly informed that parties in this city offered to take care of the Senate hall at twelve shillings per day. The present employees receive an aggregate of \$4 per day. Your committee deem the policy of offering a salary sufficient to induce persons to make journeys from distant parts of the State, for the purpose of securing the minor positions around the capitol building, as not a good one.

Your committee, however, desiring that the Senate should have an opportunity of indicating their opinion by vote, return the joint resolution, without any recommendation.

B. G. STOUT, *for the Committee.*

The report was accepted, the committee discharged, and the joint resolution laid on the table.

By the committee on towns and counties:

The committee on division of towns and counties, to whom referred House bill No. 156, being

A bill to provide for the purchase of a collection of the township laws of this State,

Report that the power given by the bill is simply permission, and entirely subject to a vote of the electors of the several towns; they therefore recommend that it do pass, and ask to be discharged.

CHARLES V. DeLAND, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee :

The committee on division of towns and counties, to whom was referred House bill No. 171, being

A bill to attach the county of Manistee to the county of Mackinac, for certain judicial purposes,

Report the same back, and recommend that the same do pass, and ask to be discharged from the further consideration thereof.

CHARLES V. DELAND, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee:

The committee on division of towns and counties, to whom was referred House bill, being

A bill to confer certain powers upon the board of supervisors of the counties of Marquette and Delta,

Report the same back with a recommendation that the same be allowed to pass, as it is entirely local in its provisions and purposes, and will do little or no harm and the same quantity of good, and ask to be discharged from the further consideration thereof.

CHARLES V. DELAND, *Chairman*.

By the same committee:

The committee on division of towns and counties, to whom was referred House manuscript bill, being

A bill to attach certain unorganized territory to the county of Marquette,

Report the same back to the Senate, recommend that it do pass, and ask to be discharged from the further consideration thereof.

CHARLES V. DELAND, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee :

The committee on division of towns and counties, to whom was referred House manuscript bill, being

A bill to attach certain territory in the county of St. Clair to the township of Port Huron,

Report that the bill carries a heavy load of self interest and speculation on its face, and believing it our duty to legislate for the people instead of speculators, they therefore report the bill back to the Senate, and recommend that it do not pass.

CHARLES V. DeLAND, *Chairman.*

The report was accepted, committee discharged, and the bill indefinitely postponed.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to amend an act entitled an act for the settlement and drainage of swamp lands by actual settlers, approved Feb. 15th, 1859, being act No. 229, of session laws of 1859,

With instructions to add a certain provision or section, respectfully report the same back to the Senate with amendments as instructed, recommend its passage, and ask to be discharged from the further consideration of the same.

EZRA HAZEN, *Chairman.*

The report was accepted, the committee discharged, and the substitute adopted.

Mr. Williams moved that the order of business be suspended, and the bill put upon its immediate passage;

Pending which,

Mr. Ingersoll moved to strike out the proviso at the end of section 3;

Mr. Tower moved to amend so as to provide that said land shall be contiguous;

The amendment did not prevail.

The motion to strike out the proviso did not prevail.

The order of business was suspended, and the bill was read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows:

## YEAS.

Mr. Adair,  
Baker,  
Baldwin,  
Butterfield,  
Carpenter,  
Coulter,

Mr. DeLand,  
French,  
Galloway,  
Hazen,  
Jones,

Mr. Lacy,  
McDermid,  
Stout,  
Wilder,  
Williams,

16

## NAYS.

Mr. Backus,  
Briggs,  
Gale,  
Green,  
Ingersoll,

Mr. Lane,  
Monroe,  
Mulholland,  
Near,  
Owen,

Mr. Strickland,  
Tower,  
Webb,  
Withey,

14

Mr. Williams moved to reconsider the vote by which the bill was not passed.

Mr. Lane moved to lay the motion on the table;

Which motion prevailed, the following being the vote thereon the President voting therefor :

## YEAS.

Mr. Backus,  
Briggs,  
French,  
Green,  
Ingersoll,

Mr. Lane,  
Monroe,  
Mulholland,  
Near,  
Strickland,

Mr. Tower,  
Webb,  
Wilder,  
Withey,

14

## NAYS.

Mr. Adair,  
Baker,  
Baldwin,  
Butterfield,  
Carpenter,

Mr. Coulter,  
Gale,  
Galloway,  
Hazen,  
Jones,

Mr. Lacy,  
McDermid,  
Stout,  
Williams,

14

By a special committee :

The special committee, to whom was referred House bill No. 148, entitled

A bill to amend sections 3, 4, 6 and 12, of an act entitled an act to authorize the commissioners of highways of townships to establish water courses and locate ditches in certain cases,

Have had the same under consideration, and have instructed me to report the same back to the Senate, without amendment,

recommend its passage, and ask to be discharged from the further consideration of the subject.

J. CARPENTER, *in behalf of special Committee,*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on public instruction:

The committee on public instruction, to whom was referred House bill No. 145, being

A bill to provide for a female college, as a branch of the University of Michigan,

Respectfully report that they have had said bill under consideration, and cannot come to the conclusion that the State is now prepared to establish as a branch of the university a female college, under the terms of this bill.

It is proposed to establish this college in any city or town of this State where the largest amount shall be donated, not less than thirty thousand dollars. Your committee do not think it advisable to inaugurate at the present time any further public institutions which will ensure annually large expenditures of public money. Thirty thousand dollars would not provide a location, suitable buildings, and furniture and apparatus for such college, hence it is certain that the State would be called on for a large expenditure to inaugurate the schools, besides an annual expenditure of at least ten thousand dollars to sustain it.

Your committee believe that the young ladies of the State are justly entitled to a due proportion of the university funds for their education, and if the bill under consideration were properly guarded, and the treasury in condition to meet the demands of such a college, they would gladly aid in securing favorable legislative action in their behalf. It is certain that there is now no surplus university fund adequate to sustain such branch, and it must follow, therefore, that if this female college is established, the State must provide other means for its support, and your committee believe that the people of the State are taxed as largely for school purposes as they ought to

be, in sustaining the common schools of the State, and that the time to establish this college will be when the same can be sustained and properly fostered in other ways than by direct taxation.

The committee therefore return the bill back to the Senate with the recommendation that it do not pass.

S. L. WITHEY, *Chairman*.

The report was accepted, the committee discharged, and the bill laid on the table.

The joint committee appointed to confer upon the disagreement of the two houses upon Senate bill No. 82, reported the bill back with sundry amendments thereto.

The report was accepted, the committee discharged, and the amendments concurred in.

By the committee on State affairs :

The committee on State affairs, to whom was referred

A bill to provide for establishing and preserving section and quarter post corners on the United States surveys,

Report that they have had the same under consideration, and entertain the opinion that the object sought by the bill is well worthy of the attention of the legislature. The difficulty experienced in certain portions of the State, where the old survey monuments have become decayed, renders very necessary their restitution, as provided for in the bill. Your committee, therefore, return the bill to the Senate, and recommend that it pass.

B. G. STOUT, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the same committee :

The committee on State affairs, to whom was referred

A bill to amend an act entitled an act to prevent fishing with seines and every kind of nets, in certain counties of the State of Michigan, &c.

Report the same back to the Senate with the recommendation that it do pass.

B. G. STOUT, *Chairman*.

The report was accepted, the committee discharged, and the bill ordered to a third reading.

By the committee on enrollment :

The committee on enrolled bills, to whom was referred :

A bill to incorporate the public schools of the city of Adrian;

Also,

A bill to amend chapter 32 of the compiled laws, entitled of limited partnerships;

Also,

A bill to authorize the people of Gratiot and other new counties to work out the amount of their indebtedness to this State on the highways in said counties ;

Also,

A bill to facilitate trials and other proceedings by jury; and

Also,

A bill making appropriation of swamp lands for the relief of James Maycroft;

Also,

A bill to amend an act entitled an act relative to convicts sentenced to solitary confinement in the State prison for life, approved April 2, 1849, being section 6230 of compiled laws;

Also,

A bill making an appropriation for the support of the Michigan Asylum for the deaf, dumb and blind, at Flint, and for completing certain portions thereof;

Also,

A bill making appropriations for the Michigan asylum for the insane;

Also,

A bill to exempt sewing machines from levy and sale on execution ;

Also,

A bill to amend section one of an act entitled an act to provide for the draining and reclamation of swamp lands by means of State roads and ditches, being act No. 117 of session laws of 1859;

Also,

A bill to provide a tax for the expenses of the State government;

Also,

A bill to provide for the signing of decrees, records and journals of courts of record;

Also,

A bill to authorize the board of supervisors of the county of Ontonagon, to raise money by tax, or otherwise, for the protection and improvement of the harbor at the mouth of the Ontonagon river;

Also,

A bill to amend sections 404 and 405 of the compiled laws, being section 63 and 64 of chapter 10, enabling county clerks to appoint deputies;

Also,

A bill to amend 2033 of the compiled laws relative to gifts and bequests to religious societies;

Also,

A bill to amend sections 6138 and 6140 of the compiled laws, being sections 10 and 12 of chapter 201, providing for the employment of prisoners confined in the county jails;

Also,

A bill to authorize the first congregational church and society of the village of Hudson, to sell their church lot, or any part thereof;

Also,

A bill to amend sections 2014 and 2017 of the compiled laws, in reference to religious societies so as to authorize the recording of articles of association, and to give the trustees, wardens and vestrymen authority to execute securities upon church property in certain cases;

“Would respectfully report that they have examined the same and return them to the Senate correctly enrolled.

H. C. BRIGGS, *Chairman*



The report was accepted, the committee discharged, and the bills were signed and presented to the Governor.

MESSAGES FROM THE GOVERNOR.

The President announced a message from the Governor; whereupon,

The Senate went into executive session.

The executive session closed.

MESSAGES FROM THE OTHER HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, March 13, 1861.* }

*To the President of the Senate :*

SIR—I am instructed to return to the Senate the following:

Joint resolution authorizing the Commissioner of the State land office to issue certificates of stock,

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table and the joint resolution ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, March 13, 1861.* }

*To the President of the Senate :*

SIR—I am instructed to return to the Senate the following :

A bill to amend an act to provide a military fund in aid of the uniformed volunteer militia, approved February 14, 1859,

Which the House has amended as follows:

1. Strike out in line 1, the word "five," and insert instead, the word "three;"

2. In line 3, strike out the word "tenth," and insert the word "fortieth,"

3. In line 4, insert the words "sixty-one," the words "and eighteen hundred and sixty-two," and strike out the words "and annually thereafter;"

In the passage of which, as amended, the House has concurred by a majority vote of of all the members elect, and has ordered the same to take immediate effect by a vote of two thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives*

The message was laid on the table, and the amendments were not concurred in, the following being the vote thereon :

YEAS.

Mr. Adair,

Mr. Wilder,

NAYS.

Mr. Backus,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,  
DeLand,  
Gale,

Mr. Galloway,  
Green,  
Hazen,  
Jones,  
Lacy,  
Lane,  
McDermid,  
Monroe,

Mr. Mulholland,  
Near,  
Owen,  
Stout,  
Strickland,  
Tower,  
Williams,  
Withey,

The President also announced the following :

HOUSE OF REPRESENTATIVES,  
Lansing, March 12, 1861. }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following:

A bill relative to the letting of contracts by State officers, boards of control, inspectors or commissioners,

With several amendments made by the House, which are attached thereto ;

In the passage of which, as amended, the House has concurred by a majority vote of all the members elect, and has or

dered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the amendments concurred in, by the following vote :

YEAS.

Mr. Backus,	Mr. DeLand,	Mr. McDermid,	
Bailey,	French,	Monroe,	
Baker,	Gale,	Mulholland,	
Baldwin,	Galloway,	Stout,	
Briggs,	Green,	Tower,	
Brown,	Jones,	Webb,	
Butterfield,	Lacy,	Williams,	
Coulter,	Lane,	Withey,	24

NAYS.

Mr. Wilder,

1

The bill was ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, March 12, 1861. }

*To the President of the Senate:*

Sir:—I am instructed to return to the Senate the following:

A bill to amend an act entitled an act relative to the State prison, approved February 12, 1859, being sections 6231 and 6233 of the compiled laws,

In the passage of which the House has concurred, by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES,  
Lansing, March 12, 1861. }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following:

1. A bill to preserve the purity of elections;
2. A bill to amend section 2581, of the compiled laws, being section 4 of an act entitled an act to provide for the collection of tolls and for the care, charge and operating of the St. Mary's Falls ship canal, approved Feb. 12, 1855;
3. A bill to amend section 93, of an act to provide for holding general and special elections, approved June 27, 1851, relative to the fees of county clerks and district canvassers ;

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bills ordered to be enrolled.

#### THIRD READING.

Senate bill, entitled

A bill to organize the township of Galloway,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

#### YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Lane,
Backus,	French,	McDermid,
Baker,	Gale,	Monroe,
Brown,	Galloway,	Near,
Butterfield,	Ingersoll,	Stout,
Carpenter,	Lacy,	Williams,
Coulter,		

19

#### NAYS.

Mr. Bailey,	Mr. Green,	Mr. Tower,
Baldwin,	Mulholland,	Wilder,
Briggs,	Strickland,	

3

The title was agreed to, and the bill ordered to take immediate effect, by a vote of two-thirds of all said Senators.

Mr. French, leave being granted, offered the following:

*Resolved* (by the Senate, the House concurring,) That a sufficient number of copies of the act passed at this session, relative to laying out and discontinuing highways, to supply one such copy to each township clerk and board of commissioners of highways in this State, be published in pamphlet form with all possible dispatch, and transmitted to the county clerks of the several counties, and by them to the several township clerks of such counties;

Which was adopted.

Mr. Gale, leave being granted, offered the following:

*Resolved*, That the chairman of the committee on supplies and expenditures be instructed to take care of and provide for the safe keeping of the furniture of the Senate hall during the interim of the legislature;

Which resolution was adopted.

Mr. Hazen, leave being granted, made the following report:

The committee on public lands, to whom was referred House bill No. 174, being

A bill to provide for the construction of State roads in the Upper Peninsula,

Respectfully report that a similar bill has already passed the Senate your committee would therefore report said bill back to the Senate with a recommendation that it do not pass.

EZRA HAZEN, *Chairman*.

The report was accepted, the committee discharged, and the bill laid on the table.

The President, by consent, introduced the following:

MESSAGE FROM THE OTHER HOUSE.

HOUSE OF REPRESENTATIVES,  
Lansing, March 13, 1861.

To the President of the Senate:

SIR:—I am instructed by the House to re-transmit the following:

A bill to provide for the drainage and reclamation of swamp lands by means of State roads and ditches,

The following having been the action had by the House thereon:

The House has refused to concur in Senate amendment, authorizing a road in Wayne and Washtenaw counties;

The House has also refused to concur in Senate amendment, striking out paragraph four, but has adopted the Senate substitute therefor, as an addition thereto;

The House has further amended the Senate amendments as follows:

Add to subdivision one: "a road from Little Traverse Bay, in Emmett county, to Traverse City, in Grand Traverse county, to be known as the Emmett and Grand Traverse State road;

Add to Senate amendment No. 2, the following: "A road from the village of Berlin, in Ottawa county, to the south line of Jamestown, via. Harris Landing and Georgetown Center, to be known as the Berlin and Georgetown State road;"

Add to Senate amendment No. 5, the following: "A road from the village of Waterloo, in the county of Jackson, by way of Whitwood island and the Portage saw mill to the mouth of Portage river, in the township of Blackman, in said county, to be known as the Portage river State road, one half section per mile.

The House concurred in all the Senate amendments, except as above named, and respectfully request the concurrence of the Senate in the further amendments made by the House.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table.

Mr. Backus moved that the Senate concur in the action of the House;

Which motion prevailed, by the following vote :

YEAS.

Mr. Backus,  
Bailey,  
Baker,

Mr. Hazen,  
Ingersoll,  
Jones,

Mr. Owen,  
Stout,  
Strickland,

Baldwin,  
Brown,  
Carpenter,  
Coulter,  
DeLand,

Lacy,  
Lane,  
McDermid,  
Mulholland,

Tower,  
Webb,  
Wilder,  
Withey,

22

## NAYS.

Mr. Adair,  
Briggs,  
French,

Mr. Gale,  
Galloway,

Mr. Monroe,  
Near,

7

Mr. Tower moved to reconsider the vote by which a bill to organize the township of Galloway was passed;

Mr. Ingersoll moved to lay the motion on the table;

Which motion did not prevail.

The motion to reconsider prevailed.

The question recurring on the passage of the bill, the same was read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows:

## YEAS.

Mr. Adair,  
Backus,  
Baker,  
Brown,  
DeLand,

Mr. French,  
Galloway,  
Ingersoll,  
Jones,  
Lacy,

Mr. McDermid,  
Monroe,  
Near,  
Williams,

14

## NAYS.

Mr. Baldwin,  
Briggs,  
Gale,  
Green,

Mr. Tower,  
Webb,  
Wilder,  
Lane,

Mr. Mulholland,  
Owen,  
Stout,  
Strickland,

12

Senate bill, entitled

A bill to amend an act to extend the Ionia and Houghton Lake State road to Old Fort Mackinaw, on the straits of Mackinaw, being act No. 240, session laws of 1859,

Came up for third reading, and was laid on the table.

Senate bill No. 83, entitled

A bill appropriating certain swamp lands for opening and improving a road from Port Sanilac, in Sanilac county, to the southern terminus of the Bay City and Tuscola plank road in Saginaw county,

Came up for a third reading, and was laid on the table.

Senate bill No. 141, entitled

A bill to appropriate 5,000 acres of swamp lands to open and improve the State road from Mecosta county to the county seat of Oceana county,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. Carpenter,	Mr. Lacy,
Backus,	Coulter,	McDermid,
Baker,	DeLand,	Owen,
Baldwin,	French,	Strickland,
Brown,	Gale,	Webb,
Butterfield,	Green,	

17

## NAYS.

Mr. Briggs,	Mr. Monroe,	Mr. Wilder,
Galloway,	Near,	Williams,
Jones,	Stout,	

8

The title was agreed to.

Senate bill No. 134, entitled

A bill to amend an act entitled an act to provide for laying out a State road in Ionia, Kent and Barry counties, approved February 12, 1859, and to make an appropriation of swamp land to aid in the construction of said road,

Came up for a third reading, and was laid on the table.

Senate bill No. 110, entitled

A bill granting swamp land to the county of Genesee, to aid in cutting drains through certain swamps in said county,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. Gale,	Mr. Owen,
Bailey,	Ingersoll,	Strickland,
Baker,	Lacy,	Tower,
Butterfield,	Lane,	Webb,
Carpenter,	McDermid,	Wilder,
Coulter,	Mulholland,	Williams,
DeLand,	Near,	Withey,

21



## NAYS.

Mr. Backus,	Mr. French,	Mr. Jones,
Baldwin,	Galloway,	Monroe,
Brown,	Green,	Stout,

The title was agreed to.

Senate bill No. 140, entitled

A bill to grant the State swamp lands to the counties in which they are located,

Came up for a third reading, and was laid on the table.

Senate bill entitled

A bill to enlarge union school district No. 2, in Pontiac, Oakland county,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Monroe,
Backus,	Gale,	Mulholland,
Bailey,	Galloway,	Owen,
Baker,	Green,	Stout,
Baldwin,	Ingersoll,	Strickland,
Briggs,	Jones,	Tower,
Butterfield,	Lacy,	Webb,
Carpenter,	Lane,	Williams,
Coulter,	McDermid,	Withey,

## NAYS.

Mr. Near,

The title was agreed to.

House bill, entitled

A bill to prevent fishing with seines, nets and spears, in the lakes known as Devil's lake, and Round lake, in Lenawee county,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. French,	Mr. Mulholland,
Backus,	Gale,	Near,
Bailey,	Galloway,	Owen,
Baker,	Green,	Stout,
Baldwin,	Hazen,	Webb,

3. In line 4, insert the words "sixty-one," the words "and eighteen hundred and sixty-two," and strike out the words "and annually thereafter;"

In the passage of which, as amended, the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives*

The message was laid on the table, and the amendments were not concurred in, the following being the vote thereon :

YEAS.

Mr. Adair,

Mr. Wilder,

2

NAYS.

Mr. Backus,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,  
DeLand,  
Gale,

Mr. Galloway,  
Green,  
Hazen,  
Jones,  
Lacy,  
Lane,  
McDermid,  
Monroe,

Mr. Mulholland,  
Near,  
Owen,  
Stout,  
Strickland,  
Tower,  
Williams,  
Withey,

25

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, March 12, 1861.* }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following:

A bill relative to the letting of contracts by State officers, boards of control, inspectors or commissioners,

With several amendments made by the House, which are attached thereto ;

In the passage of which, as amended, the House has concurred by a majority vote of all the members elect, and has or-

dered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the amendments concurred in, by the following vote :

YEAS.

Mr. Backus,	Mr. DeLand,	Mr. McDermid,	
Bailey,	French,	Monroe,	
Baker,	Gale,	Mulholland,	
Baldwin,	Galloway,	Stout,	
Briggs,	Green,	Tower,	
Brown,	Jones,	Webb,	
Butterfield,	Lacy,	Williams,	
Coulter,	Lane,	Withey,	24

NAYS.

Mr. Wilder,	1
-------------	---

The bill was ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, March 12, 1861.* }

*To the President of the Senate:*

Sir:—I am instructed to return to the Senate the following:

A bill to amend an act entitled an act relative to the State prison, approved February 12, 1859, being sections 6231 and 6233 of the compiled laws,

In the passage of which the House has concurred, by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
 Lansing, March 12, 1861. }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following:

1. A bill to preserve the purity of elections;
2. A bill to amend section 2581, of the compiled laws, being section 4 of an act entitled an act to provide for the collection of tolls and for the care, charge and operating of the St. Mary's Falls ship canal, approved Feb. 12, 1855;
3. A bill to amend section 93, of an act to provide for holding general and special elections, approved June 27, 1851, relative to the fees of county clerks and district canvassers ;

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bills ordered to be enrolled.

#### THIRD READING.

Senate bill, entitled

A bill to organize the township of Galloway,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

#### YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Lane,
Backus,	French,	McDermid,
Baker,	Gale,	Monroe,
Brown,	Galloway,	Near,
Butterfield,	Ingersoll,	Stout,
Carpenter,	Lacy,	Williams,
Coulter,		

19

#### NAYS.

Mr. Bailey,	Mr. Green,	Mr. Tower,
Baldwin,	Mulholland,	Wilder,
Briggs,	Strickland,	

8

The title was agreed to, and the bill ordered to take immediate effect, by a vote of two-thirds of all said Senators.

Mr. French, leave being granted, offered the following:

*Resolved* (by the Senate, the House concurring,) That a sufficient number of copies of the act passed at this session, relative to laying out and discontinuing highways, to supply one such copy to each township clerk and board of commissioners of highways in this State, be published in pamphlet form with all possible dispatch, and transmitted to the county clerks of the several counties, and by them to the several township clerks of such counties;

Which was adopted.

Mr. Gale, leave being granted, offered the following:

*Resolved*, That the chairman of the committee on supplies and expenditures be instructed to take care of and provide for the safe keeping of the furniture of the Senate hall during the interim of the legislature;

Which resolution was adopted.

Mr. Hazen, leave being granted, made the following report:

The committee on public lands, to whom was referred House bill No. 174, being

A bill to provide for the construction of State roads in the Upper Peninsula,

Respectfully report that a similar bill has already passed the Senate your committee would therefore report said bill back to the Senate with a recommendation that it do not pass.

EZRA HAZEN, *Chairman*.

The report was accepted, the committee discharged, and the bill laid on the table.

The President, by consent, introduced the following:

MESSAGE FROM THE OTHER HOUSE.

HOUSE OF REPRESENTATIVES,  
Lansing, March 13, 1861.

To the President of the Senate:

SIR:—I am instructed by the House to re-transmit the following:

A bill to provide for the drainage and reclamation of swamp lands by means of State roads and ditches,

Each person voting for said amendment, shall have written or printed on his ballot, the words "amendment relative to removals from office, yes;" and each person voting against it, the words "amendment relative to removals from office, no."

The ballots shall, in all respects, be canvassed and returns made as in elections of Governor and Lieutenant Governor.

The President also announced the following :

HOUSE OF REPRESENTATIVES, {  
Lansing, March 13, 1861. }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following entitled-bill:

A bill to amend an act entitled an act to provide a military fund in aid of the uniformed volunteer militia, approved February 14, 1859,

And to inform the Senate that the House insists upon its amendments thereto, and respectfully requests a committee of conference thereon, the House having appointed Representatives Joy, C. Davis and Foot, a committee on the part of the House to meet a like committee on the part of the Senate to confer on the matter of difference of the two Houses, in regard to the above mentioned bill.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table.

Mr. Stout moved that a committee of conference be appointed; Which motion prevailed.

The President appointed Senators Brown, DeLand and Baker said committee.

The President also announced the following:

HOUSE OF REPRESENTATIVES, {  
Lansing, March 13, 1861. }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following:

I. A bill to amend sections 1, 2, 3, 4, 6 and 7 of an act entitled an act to incorporate the fire department of the city of Detroit,

approved February 14, 1849, and an act amendatory thereto, approved January 14, 1859;

2. A bill to regulate proceedings in case of recoupment;

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bills ordered to be enrolled.

HOUSE OF REPRESENTATIVES, }  
Lansing, March 18, 1861. }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following:

A bill to authorize and empower judges of probate to license executors, administrators and guardians to mortgage, or otherwise pledge estates for the settlement of debts against the same;

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill ordered to be enrolled.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 18, 1861. }

*To the President of the Senate :*

SIR:—I am instructed by the House to transmit the following:

A bill to amend an act entitled an act further to preserve the purity of elections, and guard against the abuses of the elective franchise, by a registration of electors,

Which has passed the House by a majority vote of all the

members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,  
ED. W. BARBER,  
*Clerk of the House of Representatives.*

The message was laid on the table, and the bill read twice and referred to the committee on privileges and elections.

Mr. Coulter moved to discharge the committee of the whole from the further consideration of House bill No. 62, being  
A bill to regulate and establish a mining school in the Upper Peninsula;

Which motion prevailed, and the same was ordered to a third reading.

Mr. Coulter moved that Senate bill No. 132 be taken from the table and ordered to a third reading;

Which motion prevailed.

Senate bill No. 146, entitled

A bill to appropriate certain swamp lands for the building and improvement of the meridian line road, from the corporation line of the village of Hudson, in Lenawee county, to the State line between Ohio and Michigan,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

YEAS.

Mr. Adair,	Mr. Coulter,	Mr. McDermid,
Mr. Backus,	Mr. DeLand,	Mr. Monroe,
Baker,	Gale,	Mulholland,
Brown,	Green,	Near,
Butterfield,	Lacy,	Tower,
Carpenter,	Lane,	

NAYS.

Mr. Baldwin,	Mr. Hazen,	Mr. Strickland,
Briggs,	Jones,	Wilder,
Galloway,	Stout,	Withey,

The title was agreed to.

Mr. Stout moved to reconsider the vote by which the last bill was passed.

Mr. Monroe moved to lay the motion on the table;



Which motion prevailed: *and passed, by yeas and nays*

House bill, entitled *to amend section 618 of the compiled laws, to extend*

A bill to amend section 618 of the compiled laws, to extend the time for completing tax rolls in the several townships, &c

Was read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Lacy,	
Baker,	French,	Strickland,	
Baldwin,	Galloway,	Withey,	
Butterfield,	Green,		11

## NAYS.

Mr. Backus,	Mr. Hazen,	Mr. Near,	
Briggs,	Jones,	Stout,	
Brown,	Lane,	Tower,	
Carpenter,	McDermid,	Webb,	
Coulter,	Monroe,	Wilder,	
Gale,	Mulholland,		17

House bill No. 143, entitled

A bill to legalize a certain highway in township number four (4) south, of range seven (7) west,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. Coulter,	Mr. McDermid,	
Backus,	French,	Mulholland,	
Baker,	Galloway,	Stout,	
Baldwin,	Green,	Tower,	
Briggs,	Hazen,	Wilder,	
Brown,	Lacy,	Withey,	
Butterfield,			19

## NAYS.

Mr. Carpenter,	Mr. Gale,	Mr. Lane,	
DeLand,	Jones,	Noar,	6

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

House bill No. 164, entitled

A bill to amend section 63, of chapter 66, of the revised statutes of 1846, being section 2505 of the compiled laws, relative to trespasses on the public lands,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Monroe,
Backus,	French,	Mulholland,
Baker,	Gale,	Near,
Baldwin,	Galloway,	Strickland,
Briggs,	Green,	Tower,
Brown,	Jones,	Wilder,
Butterfield,	Lacy,	Williams,
Carpenter,	McDermid,	Withey,
Coulter,		

25

## NAYS.

Mr. Lane,

1

The title was agreed to.

House bill No. 113, entitled

A bill to authorize religious, eleemosynary and other corporations, not municipal, to sell, convey, exchange or mortgage real estate for certain purposes,

Was read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows :

## YEAS.

Mr. Backus,	Mr. French,	Mr. McDermid,
Baker,	Galloway,	Near,
Carpenter,	Hazen,	Webb,
Coulter,	Lacy,	Withey,
DeLand,	Lane,	

14

## NAYS.

Mr. Adair,	Mr. Gale,	Mr. Stout,
Baldwin,	Green,	Strickland,
Briggs,	Jones,	Tower,
Brown,	Monroe,	Wilder,
Butterfield,	Mulholland,	

14

Mr. Carpenter moved that the vote by which the bill was not passed be reconsidered;

Which motion did not prevail.

House bill No. 126, entitled

A bill to authorize the several townships in the counties of Muskegon, Oceana, Mason and Manistee to levy taxes for the

improvement of harbors and rivers within their respective counties,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. French,	Mr. Mulholland,	
Backus,	Galloway,	Near,	
Baker,	Green,	Owen,	
Baldwin,	Jones,	Stout,	
Brown,	Lacy,	Strickland,	
Briggs,	Lane,	Tower,	
Butterfield,	McDermid,	Wilder,	
Coulter,	Monroe,	Williams,	
DeLand,			26

## NAYS.

Mr. Carpenter,	Mr. Gale,	2
----------------	-----------	---

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

House bill No. 82, entitled

A bill to provide for publishing the statistics of the State of Michigan, taken by authority of the United States, in the year 1860,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. Gale,	Mr. Mulholland,	
Backus,	Galloway,	Owen,	
Baker,	Green,	Stout,	
Baldwin,	Ingersoll,	Strickland,	
Briggs,	Jones,	Tower,	
Brown,	Lacy,	Webb,	
Butterfield,	Lane,	Wilder,	
Coulter,	McDermid,	Williams,	
DeLand,	Monroe,	Withey,	
French,			28

## NAYS.

Mr. Near,	1
-----------	---

The title was agreed to.

The President announced the following:

HOUSE OF REPRESENTATIVES,  
Lansing, March 13, 1861. }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following:

A bill granting swamp lands to the county of Genesee, to aid in cutting drains through a certain swamp in said county,

In the passage of which the House has concurred by a majority of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table and the bill ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES,  
Lansing, March 13, 1861. }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following:

A bill to grant 25,000 acres of State swamp land to the German-American Seminary, of the city of Detroit,

In the passage of which the House has concurred by a two-thirds vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES,  
Lansing, March 13, 1861. }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following concurrent resolution:

*Resolved,* (the House concurring,) That Aaron B. Turner, Secretary of the Senate, and Edward W. Barber, Clerk of the

House of Representatives, be and they are hereby authorized and requested to compile and prepare for publication, and make indexes, and superintend the publication of the journals and documents of the present Legislature; and when completed and certified to by the Secretary of State, they shall be entitled to and receive for said services, each, the sum of three hundred dollars,

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table.

House bill entitled

A bill to provide for the organization of the Homeopathic branch of the University of Michigan,

Came up for a third reading.

Mr. Adair moved to recommit the bill to the committee on public instruction, with instruction to amend so as to institute a chair of hydropathy, also report to the Senate with all convenient dispatch, the expediency of establishing a professorship of spiritual philosophy and the doctrine of affinities;

Which motion did not prevail, the following being the vote thereon:

#### YEAS.

Mr. Adair,	Mr. Lane,	Mr. Near,
Carpenter,	Mulholland,	Webb,

#### NAYS.

Mr. Backus,	Mr. French,	Mr. Monroe,
Bailey,	Galloway,	Stout,
Baker,	Green,	Strickland,
Briggs,	Ingersoll,	Tower,
Brown,	Jones,	Wilder,
Butterfield,	Lacy,	Williams,
DeLand,	McDermid,	Withey,

Mr. Stout, leave being granted, moved to strike out "three" before "professors," and insert "two;"

Which motion did not prevail.

Each person voting for said amendment, shall have written or printed on his ballot, the words "amendment relative to removals from office, yes;" and each person voting against it, the words "amendment relative to removals from office, no."

The ballots shall, in all respects, be canvassed and returns made as in elections of Governor and Lieutenant Governor.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, March 13, 1861. }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following entitled-bill:

A bill to amend an act entitled an act to provide a military fund in aid of the uniformed volunteer militia, approved February 14, 1859,

And to inform the Senate that the House insists upon its amendments thereto, and respectfully requests a committee of conference thereon, the House having appointed Representatives Joy, C. Davis and Foot, a committee on the part of the House to meet a like committee on the part of the Senate to confer on the matter of difference of the two Houses, in regard to the above mentioned bill.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table.

Mr. Stout moved that a committee of conference be appointed; Which motion prevailed.

The President appointed Senators Brown, DeLand and Baker said committee.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 13, 1861. }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following:

I. A bill to amend sections 1, 2, 3, 4, 6 and 7 of an act entitled an act to incorporate the fire department of the city of Detroit,

approved February 14, 1849, and an act amendatory thereto, approved January 14, 1859;

2. A bill to regulate proceedings in case of recompment;

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bills ordered to be enrolled.

HOUSE OF REPRESENTATIVES, }  
*Lansing, March 12, 1861.* }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following:

A bill to authorize and empower judges of probate to license executors, administrators and guardians to mortgage, or otherwise pledge estates for the settlement of debts against the same;

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill ordered to be enrolled.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, March 12, 1861.* }

*To the President of the Senate :*

SIR:—I am instructed by the House to transmit the following:

A bill to amend an act entitled an act further to preserve the purity of elections, and guard against the abuses of the elective franchise, by a registration of electors,

Which has passed the House by a majority vote of all the

members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,  
ED. W. BARBER,  
*Clerk of the House of Representatives.*

The message was laid on the table, and the bill read twice and referred to the committee on privileges and elections.

Mr. Coulter moved to discharge the committee of the whole from the further consideration of House bill No. 62, being  
A bill to regulate and establish a mining school in the Upper of Peninsula;

Which motion prevailed, and the same was ordered to a third reading.

Mr. Coulter moved that Senate bill No. 132 be taken from the table and ordered to a third reading;

Which motion prevailed.

Senate bill No. 146, entitled

A bill to appropriate certain swamp lands for the building and improvement of the meridian line road, from the corporation line of the village of Hudson, in Lenawee county, to the State line between Ohio and Michigan,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

YEAS.

Mr. Adair,	Mr. Coulter,	Mr. McDermid,
Backus,	Doland,	Monroe,
Baker,	Gale,	Mulholland,
Brown,	Green,	Near,
Butterfield,	Lacy,	Tower,
Carpenter,	Lane,	

NAYS.

Mr. Baldwin,	Mr. Hazen,	Mr. Strickland,
Briggs,	Jones,	Wilder,
Galloway,	Stout,	Wisney,

The title was agreed to.

Mr. Stout moved to reconsider the vote by which the last bill passed.

Mr. Monroe moved to lay the motion on the table;



Which motion prevailed: a motion to lay on the table.

House bill, entitled: A bill to amend section 618 of the compiled laws, to extend

A bill to amend section 618 of the compiled laws, to extend the time for completing tax rolls in the several townships, &c.

Was read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Lacy,	
Baker,	French,	Strickland,	
Baldwin,	Galloway,	Withey,	
Butterfield,	Green,		11

## NAYS.

Mr. Backus,	Mr. Hazen,	Mr. Near,	
Briggs,	Jones,	Stout,	
Brown,	Lane,	Tower,	
Carpenter,	McDermid,	Webb,	
Coulter,	Monroe,	Wilder,	
Gale,	Mulholland,		17

House bill No. 143, entitled

A bill to legalize a certain highway in township number four (4) south, of range seven (7) west,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. Coulter,	Mr. McDermid,	
Backus,	French,	Mulholland,	
Baker,	Galloway,	Stout,	
Baldwin,	Green,	Tower,	
Briggs,	Hazen,	Wilder,	
Brown,	Lacy,	Withey,	
Butterfield,			19

## NAYS.

Mr. Carpenter,	Mr. Gale,	Mr. Lane,	
DeLand,	Jones,	Neat,	6

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

House bill No. 164, entitled

A bill to amend section 63, of chapter 60, of the revised statutes of 1846, being section 2505 of the compiled laws, relative to trespasses on the public lands,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Monroe,
Backus,	French,	Mulholland,
Baker,	Gale,	Near,
Baldwin,	Galloway,	Strickland,
Briggs,	Green,	Tower,
Brown,	Jones,	Wilder,
Butterfield,	Lacy,	Williams,
Carpenter,	McDermid,	Withey,
Coulter,		

25

## NAYS.

Mr. Lane,

1

The title was agreed to.

House bill No. 118, entitled

A bill to authorize religious, eleemosynary and other corporations, not municipal, to sell, convey, exchange or mortgage real estate for certain purposes,

Was read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows :

## YEAS.

Mr. Backus,	Mr. French,	Mr. McDermid,
Baker,	Galloway,	Near,
Carpenter,	Hazen,	Webb,
Coulter,	Lacy,	Withey,
DeLand,	Lane,	

14

## NAYS.

Mr. Adair,	Mr. Gale,	Mr. Stout,
Baldwin,	Green,	Strickland,
Briggs,	Jones,	Tower,
Brown,	Monroe,	Wilder,
Butterfield,	Mulholland,	

14

Mr. Carpenter moved that the vote by which the bill was not passed be reconsidered;

Which motion did not prevail.

House bill No. 126, entitled

A bill to authorize the several townships in the counties of Muskegon, Oceana, Mason and Manistee to levy taxes for the

improvement of harbors and rivers within their respective counties,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. French,	Mr. Mulholland,	
Backus,	Galloway,	Near,	
Baker,	Green,	Owen,	
Baldwin,	Jones,	Stout,	
Brown,	Lacy,	Strickland,	
Briggs,	Lane,	Tower,	
Butterfield,	McDermid,	Wilder,	
Coulter,	Monroe,	Williams,	
DeLand,			26

## NAYS.

Mr. Carpenter,	Mr. Gale,	2
----------------	-----------	---

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

House bill No. 32, entitled

A bill to provide for publishing the statistics of the State of Michigan, taken by authority of the United States, in the year 1840,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. Gale,	Mr. Mulholland,	
Backus,	Galloway,	Owen,	
Baker,	Green,	Stout,	
Baldwin,	Ingersoll,	Strickland,	
Briggs,	Jones,	Tower,	
Brown,	Lacy,	Webb,	
Butterfield,	Lane,	Wilder,	
Coulter,	McDermid,	Williams,	
DeLand,	Monroe,	Withey,	
French,			26

## NAYS.

Mr. Near,	1
-----------	---

The title was agreed to.

The President announced the following :

HOUSE OF REPRESENTATIVES,  
Lansing, March 13, 1861. }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following:

A bill granting swamp lands to the county of Genesee, to aid in cutting drains through a certain swamp in said county,

In the passage of which the House has concurred by a majority of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table and the bill ordered to be enrolled.

The President also announced the following:

HOUSE OF REPRESENTATIVES,  
Lansing, March 13, 1861. }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following:

A bill to grant 25,000 acres of State swamp land to the German-American Seminary, of the city of Detroit,

In the passage of which the House has concurred by a two-thirds vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill ordered to be enrolled.

The President also announced the following:

HOUSE OF REPRESENTATIVES,  
Lansing, March 13, 1861. }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following concurrent resolution:

*Resolved,* (the House concurring,) That Aaron B. Turner, Secretary of the Senate, and Edward W. Barber, Clerk of the

House bill, entitled,

A bill appropriating certain highway taxes for the improvement of a road in the counties of Eaton and Ionia.

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Near,
Backus,	French,	Owen,
Barley,	Gale,	Stout,
Baker,	Jones,	Strickland,
Baldwin,	Lacy,	Tower,
Butterfield,	Lane,	Webb,
Carpenter,	McDermid,	Wilder,
Coulter,	Monroe,	Williams,

24

## NAYS.

Mr. Mulholland,

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

House bill, entitled,

A bill to provide for the erection and maintenance of shutes for the passage of fish through the dams across the streams of this State,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. Carpenter,	Mr. Mulholland,
Backus,	Coulter,	Owen,
Barley,	Galloway,	Stout,
Baker,	Green,	Strickland,
Baldwin,	Hazen,	Tower,
Briggs,	Lane,	Wilder,
Butterfield,	McDermid,	Williams,

21

## NAYS.

Mr. DeLand,	Mr. Jones,	Mr. Near,
French,	Lacy,	Withey,
Gale,	Monroe,	

8

House bill, entitled

A bill to authorize the trustees of the Grass Lake Baptist Society of the township of Grass Lake, in the county of Jack-

The bill was then read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows :

## YEAS.

Mr. Backus,	Mr. DeLand,	Mr. Jones,	
Bailey,	French,	Strickland,	
Baker,	Galloway,	Williams,	
Brown,	Ingersoll,	Withey	12

## NAYS.

Mr. Adair,	Mr. Hazen,	Mr. Near,	
Baldwin,	Lacy,	Stout,	
Briggs,	Lane,	Tower,	
Butterfield,	McDermid,	Webb,	
Carpenter,	Monroe,	Wilder,	
Green,	Mulholland,		17

Mr. Lane moved to reconsider the vote by which the bill was not passed.

Mr. Webb moved to lay the motion on the table;

Which motion did not prevail.

Pending the motion to reconsider,

A call of the Senate was ordered.

Senators Coulter and Gale reported absent at roll call.

Senator Coulter was admitted to his seat, and further proceedings under the call were dispensed with.

The motion to reconsider did not prevail.

The President announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, March 12, 1861. }

To the President of the Senate:

Sir:—I am instructed to return to the Senate the following:

A bill to amend certain sections of the primary school laws,

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

Clerk of the House of Representatives.

The message was laid on the table, and the bill ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES,  
Lansing, March 18, 1861.

To the President of the Senate:

Sir:—I am instructed to return to the Senate the following:

A bill to amend an act to incorporate the city of Owosso, approved February 15, 1859,

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

Clerk of the House of Representatives.

The message was laid on the table and the bill ordered enrolled.

House bill, entitled

A bill to provide for the preservation of the Muskegon river improvement, and to authorize tolls for the same,

Came up for a third reading;

Mr. Withey, leave being granted, moved to amend section 1, by striking out all between the words "Muskegon" and "wharfe duty," and inserting "the Governor is hereby authorized to appoint one commissioner," also, to make the other language of the bill grammatically conform thereto.

Which motion prevailed.

The bill was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

YEAS.

Mr. Adair,

Mr. Butterfield,

Mr. Lacy,

Beckwith,

Coulter,

McDermid,

Bailey,

DeLand,

Monroe,

Baker,

French,

Stout,

Baldwin,

Hazen,

Power,

Briggs,

Ingersoll,

Withey,

Brown,

19

## NAYS.

Mr. Carpenter,  
Gale,  
Galloway,

Mr. Jones,  
Mulholland,  
Owan,

Mr. Strickland,  
Wilder,  
Williams, 9

The President also announced the following:

HOUSE OF REPRESENTATIVES,  
Lansing, March 13, 1861.

To the President of the Senate:

SIR:—I am instructed to return to the Senate the following:

A bill to amend an act entitled an act relative to plank roads, approved March 13, 1848.

In the passage of which the House has concurred, by a two-thirds vote of all the members elect.

Very respectfully,

ED. W. BARBER,

Clerk of the House of Representatives.

The message was laid on the table, and the bill ordered to be enrolled.

The President also announced the following:

HOUSE OF REPRESENTATIVES,  
Lansing, March 13, 1861.

To the President of the Senate:

SIR:—I am instructed to return to the Senate the following:

A bill to repeal an act entitled an act to provide against the recovery of damages done by beasts on lands which are not enclosed by a lawful fence, approved March 11, 1847, being section 116 of compiled laws.

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

Clerk of the House of Representatives.

The message was laid on the table, and the bill ordered to be enrolled.

House bill, entitled

A bill to amend sections 4742, 4747 and 4748 of the compiled laws, relating to proceedings against debtors by attachment.



Was read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows:

YEAS.

Mr. Backus,	Mr. Carpenter,	Mr. McDermid,	
Bailey,	DeLand,	Mulholland,	
Baker,	Gale,	Stout,	
Baldwin,	Galloway,	Strickland,	
Briggs,	Green,	Tower,	
Brown,	Hazen,	Wilder,	
Butterfield,	Lacy,	Wither,	21

NAYS.

Mr. Jones,	Mr. Monroe,	Mr. Near,	3
------------	-------------	-----------	---

The title was agreed to.

Senate bill, entitled

A bill to appropriate the proceeds of certain swamp lands to the reclamation of certain swamps and marshes in Jackson county,

Was read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows:

YEAS.

Mr. Baker,	Mr. DeLand,	Mr. Lacy,	
Butterfield,	Hazen,	McDermid,	
Carpenter,	Jones,	Near,	
Conlter,			10

NAYS.

Mr. Adair,	Mr. Gale,	Mr. Stout,	
Backus,	Galloway,	Strickland,	
Bailey,	Green,	Tower,	
Baldwin,	Ingersoll,	Webb,	
Briggs,	Monroe,	Wilder,	
Brown,	Mulholland,	Wither,	
French,	Owen,		20

House bill No. 117, entitled

A bill to amend and add to chapter 182 of the compiled laws, entitled, of homestead exemptions,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

YEAS.

Mr. Backus,	Mr. Gale,	Mr. McDermid,
Bailey,	Galloway,	Monroe,

Baker,	Green,	Mulholland,	
Butterfield,	Hazen,	Near,	
Coulter,	Ingersoll,	Owen,	
DeLand,	Jones,	Wilder,	
French,	Lacy,	Withey,	21

## NAYS.

Mr. Adair,	Mr. Briggs,	Mr. Stout,	
Baldwin,	Carpenter,	Tower,	6

The title was agreed to.

On motion of Mr. Ingersoll,

The Senate went into executive session.

The executive session closed.

House bill No. 121, entitled

A bill to authorize boards of health to dispose of real estate,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Mulholland,	
Backus,	French,	Near,	
Bailey,	Galloway,	Owen,	
Baker,	Green,	Stout,	
Baldwin,	Hazen,	Strickland,	
Butterfield,	Lacy,	Wilder,	
Carpenter,	McDermid,	Williams,	
Coulter,	Monroe,	Withey,	24

## NAYS.

Mr. Briggs,	Mr. Gale,	Mr. Tower,	3
-------------	-----------	------------	---

The title was agreed to.

House bill No. 70, entitled

A bill to provide for the floating of logs and timber in the streams of this State,

Was read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows :

## YEAS.

Mr. Backus,	Mr. Coulter,	Mr. Stout,	
Bailey,	Green,		5

## NAYS.

Mr. Adair,	Mr. Galloway,	Mr. Near,	
Briggs,	Lacy,	Tower,	
Carpenter,	Lane,	Wilder,	

French,  
Gale,

McDermid,  
Mulholland,

Williams,  
Wither, 15

Mr. Stout moved a call of the Senate;  
Which call was ordered.

Senators Baldwin, Brown, Monroe and Webb, were reported  
absent without leave.

The Sergeant-at-Arms was despatched for the absentees.

Senator Webb appeared at the bar, made an excuse for his  
absence, and was permitted to enter and take his seat.

Further proceedings under this call were dispensed with.  
House bill No. 25, entitled

A bill to amend an act entitled an act to establish graded and  
high schools, approved February 14, 1852, being act No. 107,  
session laws of 1852, was read a second time.

Was read a third time and passed, a majority of all the Sen-  
ators elect voting therefor, as follows:

## YEAS.

Mr. Backus,  
Bailey,  
Baker,  
Briggs,  
Butterfield,  
Carpenter,

Mr. Coulter,  
DeLand,  
French,  
Galloway,  
Green,  
Lacy,

Mr. Lane,  
Stout,  
Wilder,  
Williams,  
Wither.

17

## NAYS.

Mr. Gale,  
Jones,  
McDermid,

Mr. Mulholland,  
Near,  
Owen,

Mr. Strickland,  
Tower,

8

The title was agreed to.

Senate bill No. 124, entitled

A bill to provide for laying out and establishing highways on  
lines dividing this from other States,

Was read a third time and passed, a majority of all the Sen-  
ators elect voting therefor, as follows:

## YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baker,  
Baldwin,

Mr. DeLand,  
French,  
Galloway,  
Green,  
Hazen,

Mr. Near,  
Owen,  
Stout,  
Tower,  
Webb,

Briggs,	Jones,	Wilder,
Butterfield,	Lacy,	Williams,
Carpenter,	Lane,	Withey,
Coulter,	Monroe,	

26

HOUSE OF REPRESENTATIVES. **NAYS.**

Mr. Gale,	Mr. Mulholland,	2
-----------	-----------------	---

The title was agreed to.

House bill, entitled

A bill to repeal act No. 48, of session laws of 1852, approved February 3, 1853, in relation to the appropriation and expenditure of certain unexpended highway taxes on a road therein mentioned,

Was read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows:

**YEAS.**

Mr. Backus,	Mr. Coulter,	Mr. Near,
Bailey,	Green,	Owen,
Baker,	Hazen,	Wilder,
Briggs,	Mulholland,	Williams,
Butterfield,		

13

**NAYS.**

Mr. Carpenter,	Mr. Galloway,	Mr. Stout,
DeLand,	Jones,	Strickland,
French,	Lacy,	Tower,
Gale,	Monroe,	Withey,

12

House bill, entitled

A bill to restore certain sections of land in the township of Ira, to the township of Cettrellville, in the county of St. Clair,

Was read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows:

**YEAS.**

Mr. Bailey,	Mr. Green,	Mr. Tower,
Baker,	Mulholland,	Wilder,
DeLand,	Stout,	Williams,
French,		

10

**NAYS.**

Mr. Backus,	Mr. Gale,	Mr. McDermid,
Baldwin,	Jones,	Monroe,
Butterfield,	Lacy,	Near,
Carpenter,	Lane,	Webb,

12

House bill, entitled,

A bill appropriating certain highway taxes for the improvement of a road in the counties of Ester and Ionia.

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Near,
Backus,	French,	Owen,
Bailey,	Gale,	Stout,
Baker,	Jones,	Strickland,
Baldwin,	Lacy,	Tower,
Butterfield,	Lane,	Wells,
Carpenter,	McDermid,	Wilder,
Coulter,	Monroe,	Williams,

24

## NAYS.

Mr. Mulholland,

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

House bill, entitled,

A bill to provide for the erection and maintenance of shutes for the passage of fish through the dams across the streams of this State,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. Carpenter,	Mr. Mulholland,
Backus,	Coulter,	Owen,
Bailey,	Galloway,	Stout,
Baker,	Green,	Strickland,
Baldwin,	Hazen,	Tower,
Briggs,	Lane,	Wilder,
Butterfield,	McDermid,	Williams,

21

## NAYS.

Mr. DeLand,	Mr. Jones,	Mr. Near,
French,	Lacy,	Withey,
Gale,	Monroe,	

8

House bill, entitled,

A bill to authorize the trustees of the Grass Lake Baptist Society of the township of Grass Lake, in the county of Jack-

sen, to convey certain real estate to school district No. 9 of said township.

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. Coulter,	Mr. Monroe,
Backus,	DeLand,	Mulholland,
Bailey,	French,	Near,
Baldwin,	Galloway,	Strickland,
Baker,	Green,	Tower,
Briggs,	Lacy,	Wilden,
Butterfield,	Lane,	Withay,
Carpenter,		

22

## NAYS:

Mr. Gale, 1

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

House joint resolution, entitled

Joint resolution authorizing the common council of the city of Lansing to use a portion of certain streets, &c., &c.,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Mulholland,
Backus,	French,	Near,
Bailey,	Gale,	Owen,
Baker,	Galloway,	Stout,
Baldwin,	Green,	Strickland,
Butterfield,	Lacy,	Tower,
Carpenter,	Lane,	Withay,
Coulter,	Monroe,	

23

## NAYS:

Mr. Briggs, Mr. Wilden, 2

The title was agreed to.

House bill No. 162, entitled

A bill to amend section 23, of chapter 106, of the revised statutes of 1846, being section 4461, of the compiled laws, in relation to sales of goods on execution pledged by way of mortgage,

Was read a third time and passed, a majority of all the Senators-elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Mulholland,
Backus,	French,	Near,
Bailey,	Gale,	Owen,
Baker,	Galloway,	Stout,
Baldwin,	Green,	Strickland,
Briggs,	Lacy,	Tower,
Butterfield,	Lane,	Wilder,
Carpenter,	McDermid,	Withey,
Coulter,	Monroe,	

## NAYS.

The title was agreed to.

House bill No. 184, entitled

A bill vesting with police powers, marshals and their deputies at State and county fairs.

Was read a third time and passed, a majority of all the Senators-elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Monroe,
Backus,	French,	Mulholland,
Bailey,	Gale,	Near,
Baker,	Galloway,	Owen,
Baldwin,	Green,	Stout,
Briggs,	Hazen,	Strickland,
Butterfield,	Lacy,	Tower,
Carpenter,	Lane,	Wilder,
Coulter,	McDermid,	Withey,

## NAYS.

The President announced the following:

## MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,

Lansing, March 18, 1881.

To the Senate:

I have approved and deposited in the office of the Secretary of State the following:

An act to amend an act entitled an act to revise the charter of the city of Detroit, approved February 5, 1864;

Also, ~~an act to amend an act entitled an act for the benefit of~~

An act to amend an act entitled an act for the benefit of fractional school district No. 1, of Vassar, and No. 2, of Tuscola;

Also, ~~an act to provide for selecting and locating the unselected~~

An act to provide for selecting and locating the unselected deficiency existing in the quantity of lands due to the State of Michigan under the act of Congress, approved May 20, 1826, and for any other land grant made by act of Congress to this State;

Also,

An act to provide means for the redemption of the bonds of the State, maturing January 1st, 1868;

Also,

An act relating to deposit accounts and to interest, exchange and commissions received or paid by the State Treasurer;

Also,

Joint resolution authorizing the State Treasurer to charge certain items to the suspense account;

Also,

An act to amend sections 11 and 127, of chapter 117, of the compiled laws, relative to security of costs in justices' courts;

Also,

Joint resolution appropriating the tolls of the St. Mary's Canal to the payment of the amount due counties for taxes assessed on canal lands;

Also,

Joint resolution appointing Francis A. Artault emigrant agent at Paris, France;

Also,

An act to amend sections 4339, 4340, 4341 and 4342, of the compiled laws, in relation to the competency of witnesses, and examination of parties, in certain cases;

Also,

An act to amend chapter 32 of the compiled laws, entitled of limited partnerships;

Also,



An act to exempt sewing machines from levy and sale on execution;

Also,

An act to facilitate trials and other proceedings by jury;

Also,

An act to amend sections 6133 and 6140 of the compiled laws, being sections 10 and 12 of chapter 201, providing for the employment of prisoners confined in the county jails;

Also,

An act making an appropriation for the support of the Michigan Asylum for the insane;

Also,

An act to amend 2033 of the compiled laws relative to gifts, bequests and legacies to religious societies;

Also,

An act making appropriations for the support of the Michigan asylum for the deaf, dumb and blind, at Flint, and for completing certain portions of the buildings thereof;

Also,

An act to amend section one of an act entitled an act to provide for the drainage and reclamation of swamp lands by means of State roads and ditches, being act No. 117 of session laws of 1859;

Also,

An act to amend an act entitled an act relative to convicts sentenced to solitary confinement in the State prison for life, approved April 2, 1849, being section 6230 of compiled laws;

Also,

An act making appropriation of swamp lands for the relief of James Maycroft;

Also,

An act to provide a tax for the expenses of the State government;

Also,

An act to provide for the signing of decrees, records and journals of courts of record;

Also,

An act to amend sections 2014 and 2017 of the compiled laws, in reference to religious societies so as to authorize the recording of articles of association, and to give the trustees, wardens and vestrymen authority to execute securities upon church property in certain cases;

Also,

An act to amend sections 404 and 405 of the compiled laws, being section 63 and 64 of chapter 10, enabling county clerks to appoint deputies;

Also,

An act to authorize the people of Gratiot and other new counties to work out the amount of their indebtedness to this State on the highways in said counties;

Also,

An act to authorize the board of supervisors of the county of Ontonagon, to raise money by tax, or otherwise, for the protection and improvement of the harbor at the mouth of the Ontonagon river;

Also,

An act to incorporate the public schools of the city of Adrian;

Also,

An act to authorize the first congregational church and society of the village of Hudson, to sell their church lot, or any part thereof.

AUSTIN BLAIR.

The message was laid on the table.

House bill No. 158, entitled

A bill to amend sections 190 and 211, of chapter 117, of the compiled laws, in relation to appeals from justices' courts,

Was read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows:

YEAS.

Mr. Adair,  
Backus,  
Bailey,

Mr. Carpenter,  
Coulter,  
DeLand,

Mr. Monroe,  
Mulholland,  
Nease,

Baker,  
Butterfield,Green,  
Lacy,Strickland,  
Wilder, 15

## NAYS.

Mr. Baldwin,  
Briggs,  
French,  
Gale,Mr. Galloway,  
Hazen,  
Lane,  
McDermid,Mr. Owen,  
Stout,  
Tower,  
Withey, 12

On motion of Mr. Strickland,

The last vote was reconsidered, and the question recurring on the passage of the bill, the same was not passed, a majority of all the Senators elect not voting therefor, as follows :

## YEAS.

Mr. Backus,  
Baker,  
Bailey,  
Butterfield,  
Carpenter,Mr. Coulter,  
DeLand,  
Green,  
Lacy,  
McDermid,Mr. Monroe,  
Mulholland,  
Near,  
Strickland,  
Wilder, 15

## NAYS.

Mr. Adair,  
Baldwin,  
Briggs,  
French,Mr. Gale,  
Galloway,  
Hazen,  
Jones,Mr. Lane,  
Stout,  
Tower,  
Withey, 12

House bill No. 130, entitled

A bill to provide for the better security of mechanics and others, erecting buildings in this State,

Came up for a third reading, and was laid on the table.

House bill No. 137, entitled

A bill relative to the issuing of capiases for witnesses in criminal proceedings,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baker,  
Baldwin,  
Briggs,  
Butterfield,  
Carpenter,Mr. Coulter,  
DeLand,  
French,  
Galloway,  
Jones,  
Lacy,  
Lane,  
McDermid,Mr. Mulholland,  
Near,  
Owen,  
Stout,  
Strickland,  
Tower,  
Withey,

23

## NAYS.

Mr. Gale, Mr. Monroe, Mr. Wilder, 3

The title was agreed to.

House bill No. 161, entitled

A bill to amend sections 14 and 16, and to repeal section 15, of chapter 134, of the compiled laws, relating to the action of ejectment,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. Carpenter,	Mr. Hazen,	
Backus,	Coulter,	Lacy,	
Baker,	DeLand,	Mulholland,	
Baldwin,	French,	Stout,	
Briggs,	Galloway,	Wither,	
Butterfield,	Green,		17

## NAYS.

Mr. Gale,	Mr. Owen,	Mr. Tower,	
Near,	Strickland,	Wilder,	6

The title was agreed to.

House bill No. 144, entitled

A bill to provide for the expenses of the trial of persons holding, or who have held State offices, for malfeasance in office,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. French,	Mr. Mulholland,	
Backus,	Gale,	Owen,	
Baker,	Galloway,	Stout,	
Baldwin,	Green,	Strickland,	
Briggs,	Lacy,	Tower,	
Butterfield,	Lane,	Wilder,	
Coulter,	McDermid,	Wither,	
DeLand,			22

## NAYS.

Mr. Carpenter,	Mr. Jones,	Mr. Near,	3
----------------	------------	-----------	---

The title was agreed to.

House bill No. 149, entitled

A bill giving to circuit courts jurisdiction by information, in the nature of a quo warranto, in certain cases,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,  
Backus,  
Baker,  
Baldwin,  
Briggs,  
Butterfield,  
Carpenter,  
Coulter,  
DeLand,

Mr. French,  
Gale,  
Galloway,  
Green,  
Jones,  
Lacy,  
Lane,  
McDermid,  
Monroe,

Mr. Mathelland,  
Near,  
Owen,  
Stout,  
Strickland,  
Tower,  
Wilder,  
Withney,

26

## NAYS.

The title was agreed to.

House bill No. 169, entitled

A bill amending sections 3, 13 and 25 of chapter 150, compiled laws, relating to conferring upon justices of the peace jurisdiction in case of forcible entry and detainer, and detainer only,

Was read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows :

## YEAS.

Mr. Baker,  
Butterfield,  
Carpenter,  
French,  
Gale,

Mr. Hazen,  
Jones,  
Lane,  
McDermid,  
Near,

Mr. Owen,  
Webb,  
Williams,  
Withney,

14

## NAYS.

Mr. Adair,  
Backus,  
Baldwin,  
Briggs,  
DeLand,

Mr. Galloway,  
Green,  
Lacy,  
Monroe,  
Mathelland,

Mr. Stout,  
Strickland,  
Tower,  
Wilder,

House bill No. 171, entitled

A bill to attach the county of Manitowish to the county of Wayne, for certain judicial purposes,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

YEAS.

Mr. Adair,  
Backus,  
Baldwin,  
Briggs,  
Butterfield,  
Carpenter,  
Coulter,

Mr. DeLand,  
Galloway,  
Green,  
Jones,  
Lacy,  
Monroe,  
Mulholland,

Mr. Owen,  
Stout,  
Tower,  
Webb,  
Wilder,  
Williams,

20

YEAS.

Mr. Baker,  
Gale,  
Hazen,

Mr. Lane,  
Near,

Mr. Strickland,  
Wither,

7

The title was agreed to.

House bill No. 151, entitled

A bill to regulate fisheries in the waters of the State of Michigan,

Was read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows:

YEAS.

Mr. Adair,  
Backus,  
Baker,  
Baldwin,  
Butterfield;

Mr. Coulter,  
DeLand,  
Jones,  
Owen,

Mr. Stout,  
Webb,  
Wilder,  
Williams,

13

NAYS.

Mr. Briggs,  
Carpenter,  
French,  
Gale,  
Galloway,

Mr. Green,  
Lacy,  
Lane,  
McDonald,  
Monroe,

Mr. Mulholland,  
Near,  
Strickland,  
Tower,  
Wither,

15

Mr. Carpenter moved to reconsider the vote by which House bill No. 150, entitled

A Bill amending sections 6, 15 and 25, of chapter 150, of compiled laws, relating to conferring upon justices of the peace jurisdiction in case of forcible entry and detainer, and forcible detainer only,

Was not passed,

Which motion prevailed,

The question recurring on the passage of the bill, the same was not passed,

was passed; a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,  
Baker,  
Carpenter,  
Coulter,  
DeLand,  
French,  
Gale,

Mr. Green,  
Hazen,  
Jones,  
Lane,  
McDermid,  
Near,

Mr. Owen,  
Stout,  
Tower,  
Webb,  
Williams,  
Withey,

19

## NAYS.

Mr. Backus,  
Baldwin,  
Briggs,  
Brown,

Mr. Butterfield,  
Galloway,  
Lacy,  
Monroe,

Mr. Mulholland,  
Strickland,  
Wilder,

11

The title was agreed to.

Mr. Tower, leave being granted, made the following report:

The committee on privileges and elections, to whom was referred House bill No. 176, entitled

A bill to amend an act entitled an act further to preserve the purity of elections, and guard against the abuses of the elective franchise by a registration of electors,

Have had the same under consideration, and report the same back to the Senate and recommend its passage.

O. TOWER, *Chairman.*

The report was accepted, the committee discharged, and the bill ordered to a third reading.

## MESSAGE FROM THE OTHER HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES,  
Lansing, March 18, 1861.

To the President of the Senate:

SIR:—I am instructed to return to the Senate the following:

1. A bill to amend section 2436, of the compiled laws, relative to the payment of moneys by purchasers of the trust funds to county treasurers;

2. A bill to regulate the manner of attaching unorganized

territory to organized counties for judicial and municipal purposes;

8. Joint resolution authorizing a settlement with Warren Thompson, Sidney Green, John Stuart, Richard Peters, Charles Dean, T. G. Barker;

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

41

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bills and joint resolution ordered enrolled.

The President also announced the following:

HOUSE OF REPRESENTATIVES,  
Lansing, March 13, 1861.

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following:

A bill to provide for the construction of a road in Saginaw county.

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill ordered to be enrolled.

The President also announced the following:

HOUSE OF REPRESENTATIVES,  
Lansing, March 13, 1861.

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following:

A bill to amend section 59, chapter 6, of the compiled laws, concerning the canvassing of votes at elections,

Which the House has amended by striking out all of said bill after the word "same," in line 4;



take immediate effect by a vote of two-thirds of all the members elect.]

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, the amendment of the bill concurred in, and the bill ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES,  
Lansing, March 13, 1861.

*the President of the Senate :*

SIR:—I am instructed to return to the Senate the following :

A bill to organize the township of Strickland.

The House has amended the title by adding thereto the words "Paris and Verona," and has amended the bill as follows: By striking out of the third line the word "Delta," and inserting instead the word "Mackinaw." Also, by adding the two following sections to be numbered 2 and 3:

Sec. 2. The surveyed township fifteen (15) north of range thirteen (14) east, in the county of Huron, be and the same is hereby organized into a township by the name of Paris, and the first township meeting therein shall be held at the house of Wm. Willson, in said township, and the said Willson, Thomas L. Thompson and Jerome B. Sharp are hereby authorized to act as inspectors of said first election.

Sec. 3. The surveyed township No. sixteen (16) north of range thirteen (13) east, in the county of Huron, be and the same is hereby organized into a township by the name of Verona, and the first township meeting shall be held at the house of Thomas Philp, and the said Philp, together with Thomas Tema and Andrew McAllister, are hereby authorized to act as inspectors of said first township meeting;

In the passage of which, as amended, the House has concurred by a two-thirds vote of all the members elect, and has en-

Mr. Withey moved to reconsider the vote by which House bill No. 70 was not passed;

Which motion prevailed.

On motion of Mr. Withey,

The bill was recommitted to the committee on State affairs.

On motion of Mr. Green,

Senate bill No. 141 was taken from the table.

Mr. Green moved to strike out "five thousand" and insert "two thousand five hundred;"

Which motion prevailed, and the bill was ordered to a third reading.

House bill No. 72, entitled

A bill to provide a military force,

Came up for a third reading.

Mr. Steut, leave being granted, moved to strike out section 6;

Which motion prevailed.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

#### YEAS.

Mr. Adair,	Mr. French,	Mr. Mulholland,
Backus,	Gale,	Near,
Bailey,	Galloway,	Stout,
Baldwin,	Hazen,	Strickland,
Briggs,	Jones,	Tower,
Brown,	Lacy,	Webb,
Butterfield,	McDermid,	Wilder,
Carpenter,	Monroe,	Withey,
Coulter,		

25.

#### NAYS.

Mr. Lane,

11

The title was agreed to.

House bill No. 148, entitled

A bill to amend sections 3, 4, 6 and 12, of an act entitled: an act authorizing the commissioners of highways of townships to establish water courses, and locate ditches, in certain cases, approved February 18, 1859,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,

Mr. Carpenter,  
Coulter,  
Gale,  
Jones,  
Lacy,  
Lane,  
McDermid,

Mr. Mulholland,  
Near,  
Stout,  
Strickland,  
Tower,  
Wither,

20

## NAYS.

Mr. Webb,

1

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

House bill No. 37, entitled

A bill to provide for an additional circuit court commissioner in certain cases,

Came up for a third reading, and was laid on the table.

House bill No. 78, entitled

A bill giving to lumbermen a lien on logs and timber for their personal services,

Was read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows :

## YEAS.

Mr. Bailey,  
Butterfield,  
Coulter,

Mr. Gale,  
Galloway,  
Green,

Mr. Lacy,  
Mulholland,

3

## NAYS.

Mr. Adair,  
Backus,  
Baldwin,  
Briggs,  
Brown,  
Carpenter,

Mr. Hazen,  
Jones,  
Lane,  
McDermid,  
Monroe,  
Near,

Mr. Stout,  
Strickland,  
Tower,  
Wilder,  
Wither,

17

Senate bill No. 132, entitled

A bill making a grant of swamp lands to promote the early completion of the several land grant railroads in the Upper Peninsula,

Was read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows :

## YEAS.

Mr. Adair,  
French,  
Galloway,

Mr. Lacy,  
Monroe,

Mr. Stout,  
Strickland,

## NAYS.

Mr. Backus,  
Bailey,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,

Mr. Carpenter,  
Gale,  
Hazen,  
Jones,  
Lane,  
McDermid,

Mr. Mulholland,  
Near,  
Tower,  
Webb,  
Wilder,  
Withey,

19

## House bill No. 5, entitled

A bill to facilitate the commencement of suits against joint defendants residing in several counties,

Was read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows:

## YEAS.

Mr. Adair,  
Bailey,  
Baldwin,  
Brown,  
Butterfield,

Mr. Hazen,  
Lane,  
Near,  
Stout,

Mr. Tower,  
Webb,  
Wilder,  
Withey,

13

## NAYS.

Mr. Backus,  
Baker,  
Briggs,  
Carpenter,  
Culter,

Mr. Gale,  
Green,  
Jones,  
Monroe,

Mr. Mulholland,  
Owen,  
Strickland,  
Williams,

13

## House bill entitled

A bill to provide for establishing and preserving section and quarter post corners on the United States surveys,

Was read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows:

## YEAS.

Mr. Adair,  
Baldwin,  
Briggs,  
Carpenter,

Mr. French,  
Galloway,  
McDermid,  
Stout,

Mr. Tower,  
Wilder,  
Williams,

11

## YEAS.

Mr. Adair,	Mr. Coulter,	Mr. Monroe,
Backus,	DeLand,	Mulholland,
Baker,	Ingersoll,	Near,
Baldwin,	Jones,	Owen,
Brown,	Lacy,	Strickland,
Butterfield,	Lane,	Wilder,
Carpenter,	McDermid,	Withey,
		21

## NAYS.

Mr. Gale,	Mr. Galloway,	2
-----------	---------------	---

The title was agreed to.

House bill, entitled

A bill to authorize proceedings by garnishment in the circuit court and the district court of the Upper Peninsula,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Monroe,
Backus,	French,	Mulholland,
Baker,	Galloway,	Near,
Baldwin,	Green,	Stout,
Brown,	Jones,	Strickland,
Butterfield,	Lacy,	Tower,
Carpenter,	Lane,	Withey,
Coulter,	McDermid,	23

## NAYS.

0

The title was agreed to.

Mr. DeLand, leave being granted, made the following report:

The special committee of conference to consider the difference between the two Houses upon Senate bill No 64, being

A bill to amend an act entitled an act to provide a military fund in aid of the uniformed volunteer militia, approved February 14, 1859,

Report that they have met a like committee from the House, and recommend that the Senate concur in the first and third amendments, and that the second be amended so as to read "one twentieth," instead of one "fortieth" of a mill, as amended by the House, and ask to be discharged.

CHARLES V. DELAND, *for Senate Committee.*

Brown,  
Butterfield,  
Carpenter,

Lane,  
McDermid,  
Mulholland,

Wilder,  
Williams,  
Withey, 21

NAYS. 0

The title was agreed to.

31 Senate bill No. 141, entitled

3 A bill to appropriate 2500 acres of swamp lands to open and improve the State road from Mecosta county to the county seat of Oceana county;

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

YEAS.

Mr. Adair,  
Backus,  
Baldwin,  
Brown,  
Butterfield,  
Carpenter,  
Coulter,

Mr. Gale,  
Green,  
Lane,  
McDermid,  
Monroe,  
Mulholland,  
Near,

Mr. Owen,  
Strickland,  
Tower,  
Webb,  
Williams,  
Withey,

20

NAYS.

Mr. Briggs,  
Jones,

Mr. Stout,

Mr. Wilder,

4

The title was agreed to.

32 House bill No. 139, entitled

A bill to amend chapter 10 of the compiled laws, in relation to certain duties and compensations of county surveyors,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

YEAS.

Mr. Adair,  
Backus,  
Baldwin,  
Briggs,  
Butterfield,  
Coulter,

Mr. French,  
Jones,  
Lane,  
McDermid,  
Owen,  
Stout,

Mr. Strickland,  
Webb,  
Wilder,  
Williams,  
Withey,

17

NAYS.

Mr. Baker,  
Brown,  
Carpenter,

Mr. Green,  
Mulholland,

Mr. Near,  
Tower,

The title was agreed to.

House bill, entitled

A bill to amend an act entitled an act to prevent fishing with seines and every kind of nets, in certain counties in the State of Michigan,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

YEAS.

Mr. Adair,	Mr. Carpenter,	Mr. Owen,	
Backus,	DeLand,	Stout,	
Baker,	Gale,	Tower,	
Baldwin,	Green,	Webb,	
Briggs,	McDermid,	Wilder,	
Brown,	Mulholland,	Withey,	21
Butterfield,	Near,		

NAYS.

Mr. Jones, 1

The title was agreed to, and the bill ordered to take immediate effect, by a vote of two-thirds of all said Senators.

Mr. DeLand moved to take from the table House bill No. 87, being

A bill to provide for an additional circuit court commissioner in certain counties;

Which motion prevailed.

Mr. DeLand offered a substitute, which was adopted.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

YEAS.

Mr. Adair,	Mr. DeLand,	Mr. McDermid,	
Baker,	French,	Monroe,	
Baldwin,	Gale,	Mulholland,	
Briggs,	Galloway,	Near,	
Butterfield,	Jones,	Webb,	
Carpenter,	Lacy,	Wilder,	1
Coulter,	Lane,	Withey,	21

NAYS.

Mr. Backus, Mr. Brown, Mr. Stout, 8

The title was agreed to.

On motion of Mr. Withey,

## YEAS.

Mr. Adair,  
Backus,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,

Mr. Coulter,  
DeLand,  
Galloway,  
Green,  
Lacy,  
Lane,  
McDermid,

Mr. Monroe,  
Mulholland,  
Near,  
Owen,  
Wilder,  
Withey,

29

## NAYS.

The title was agreed to.

House bill No. 62, entitled

A bill to establish and regulate a mining school in the Upper Peninsula,

Came up for a third reading.

Mr. Coulter, leave being granted, moved to strike out section four ;

Which motion prevailed.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,  
Backus,  
Baker,  
Baldwin,  
Butterfield,  
Carpenter,

Mr. Coulter,  
DeLand,  
Galloway,  
Green,  
Lacy,  
McDermid,

Mr. Monroe,  
Mulholland,  
Owen,  
Stout,  
Strickland,  
Tower,

18

## NAYS.

Mr. Gale,

Mr. Near,

Mr. Withey,

3

The title was agreed to.

House bill, entitled

A bill to attach certain unorganized townships to the county of Marquette,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,  
Backus,  
Baker,  
Baldwin,

Mr. Coulter,  
Galloway,  
Green,  
Jones,

Mr. Mulholland,  
Near,  
Owen,  
Stout,



Briggs,  
Brown,  
Butterfield,  
Carpenter,

Lacy,  
Lane,  
McDermid,  
Monroe,

Strickland,  
Tower,  
Wilder,  
Withey, 24

NAYS.

Mr. Gale, 1

The title was agreed to.

House bill, entitled

A bill to prevent officers and clerks in the State land office and the auditor general's office from purchasing lands at such offices;

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

YEAS.

Mr. Adair,  
Backus,  
Baker,  
Baldwin,  
Brown,  
Butterfield,  
Carpenter,

Mr. Coulter,  
Gale,  
Green,  
Jones,  
Lacy,  
Lane,  
Monroe,

Mr. Mulholland,  
Near,  
Owen,  
Stout,  
Tower,  
Wilder,  
Withey, 21

NAYS.

Mr. Briggs,  
French,

Mr. Galloway,

Mr. Strickland,

The title was agreed to.

House bill, entitled

A bill making appropriations for the support of the State Normal School,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

YEAS.

Mr. Adair,  
Backus,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,  
Coulter,

Mr. DeLand,  
French,  
Galloway,  
Green,  
Jones,  
Lacy,  
Lane,  
Monroe,

Mr. Mulholland,  
Near,  
Stout,  
Strickland,  
Tower,  
Webb,  
Wilder,  
Withey,

25

NAYS.

0

## YEAS.

Mr. Adair,  
Baldwin,  
Butterfield,  
Carpenter,  
Coulter,  
French,  
Gale,

Mr. Galloway,  
Jones,  
Lacy,  
Lane,  
McDermid,  
Near,

Mr. Owen,  
Stout,  
Strickland,  
Tower,  
Webb,  
Withey,

## NAYS.

Mr. Backus,

Mr. Brown,

Mr. Mulholland,

The bill was ordered to be enrolled.

The President also announced the following:

HOUSE OF REPRESENTATIVES,  
Lansing, March 13, 1861.

*To the President of the Senate:*

SIR—I am instructed to return to the Senate the following:

A bill for the collection of damages sustained by defective bridges on the public highways,

In the passage of which the House has not concurred, a majority of all the members elect not voting therefor.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table.

The President also announced the following:

HOUSE OF REPRESENTATIVES,  
Lansing, March 13, 1861.

*To the President of the Senate:*

SIR—I am instructed to return to the Senate the following:

A bill to amend an act incorporating the Boston & Pittsburgh Mining Company, approved March 18, 1848,

The House having amended the title so as to read as follows:

A bill to amend an act incorporating the Pittsburgh & Boston Mining Company of Pittsburgh, approved March 18, 1848;

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Mulholland,
Backus,	French,	Near,
Baker,	Gale,	Stout,
Baldwin,	Galloway,	Strickland,
Briggs,	Green,	Tower,
Brown,	Jones,	Webb,
Butterfield,	Lacy,	Williams,
Carpenter,	McDermid,	Withey,
Coulter,	Monroe,	

26

## NAYS.

0

The title was agreed to.

By the committee on towns and counties :

The committee on division of towns and counties, to whom was recommended

A bill to organize the township of Groveland,

Report a substitute for the same, and recommend that the substitute do pass, and ask to be discharged from the further consideration of the same.

CHARLES V. DeLAND, *Chairman.*

The report was accepted, the committee discharged, and the substitute adopted.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Backus,	Mr. Galloway,	Mr. Near,
Baker,	Green,	Stout,
Baldwin,	Ingersoll,	Strickland,
Briggs,	Lacy,	Tower,
Brown,	Lane,	Webb,
Carpenter,	McDermid,	Wilder,
Coulter,	Mulholland,	Withey,
DeLand,		

22

## NAYS

Mr. Adair,	Mr. French,	Mr. Jones,
Butterfield,	Gale,	Monroe,

6

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

RECEIVED

SENATE CLERK (JANUARY 1, 1861)

## MESSAGES FROM THE OTHER HOUSE.

The President announced the following :

HOUSE OF REPRESENTATIVES,  
Lansing, March 12, 1861. }

To the President of the Senate :

SIR:—I am instructed to return to the Senate the following:

1. A bill authorizing the supervisors of the several towns in the Upper Peninsula to assess and collect the State taxes upon all mining companies real estate or other property ;

2. A bill to authorize the district judge of the Upper Peninsula to convey certain lands held in trust under the act of Congress of May 23, 1844,

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,  
Clerk of the House of Representatives.

The message was laid on the table, and the bills ordered enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES,  
Lansing, March 12, 1861. }

To the President of the Senate :

SIR:—I am instructed to return to the Senate the following:

A bill to authorize the several townships in the counties of Muskegon, Oceana, Mason and Manistee, to levy taxes for the improvement of harbors and rivers within their respective counties,

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,  
Clerk of the House of Representatives.

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

YEAS.

Mr. Adair,	Mr. French,	Mr. Owen,
Backus,	Galloway,	Stout,
Baker,	Green,	Strickland,
Briggs,	Jones,	Tower,
Brown,	Lacy,	Webb,
Butterfield,	McDermid,	Wilder,
Carpenter,	Monroe,	Withers,
Coulter,	Mulholland,	
DeLand,	Near,	

NAYS.

Mr. Gale, 1

The title was agreed to.  
House bill No. 156, entitled  
A bill to provide for the purchase of a collection of the township laws of the several townships of this State,

Was read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows:

YEAS.

Mr. Adair,	Mr. French,	Mr. Owen,
Baldwin,	Gale,	Stout,
Briggs,	Galloway,	Tower,
Coulter,	Lacy,	Webb,
DeLand,	Mulholland,	Wilder,

NAYS.

Mr. Backus,	Mr. Carpenter,	Mr. Near,
Baker,	Jones,	Strickland,
Brown,	McDermid,	Withers,
Butterfield,	Monroe,	

Mr. Coulter moved to reconsider the vote by which Senate bill No. 152, was not passed, being

A bill making a grant of swamp lands to promote the early completion of the several land grant railroads in the Upper Peninsula;

Which motion prevailed.  
Pending the vote on the passage of the bill,  
Mr. Stout moved a call of the Senate.

The call was sustained, the roll called, and further proceedings under the call dispensed with.

The bill was then passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. French,	Mr. Monroe,
Baldwin,	Galloway,	Near,
Brown,	Green,	Owen,
Butterfield,	Jones,	Stout,
Carpenter,	Lacy,	Strickland,
Coulter,	Lane,	Tower,
DeLand,	McDermid,	

20

## NAYS.

Mr. Backus,	Mr. Gale,	Mr. Wilder,
Baker,	Mulholland,	Withey,
Briggs,		

7

Mr. Briggs moved that the title be so amended as to read as follows :

A bill to provide for the drainage of swamp lands by means of railroads in the Upper Peninsula :

Which motion prevailed.

On motion of Mr. Strickland,

The last vote was reconsidered, and the motion was lost.

Mr. Coulter moved to amend the title so as to read as follows:

A bill making a grant of swamp lands to promote the early completion of a railroad from the mouth of the Menominee river to Marquette, on Lake Superior, in the Upper Peninsula ;

Which motion prevailed.

The title, as amended, was agreed to, and the bill ordered to take immediate effect, by a vote of two-thirds of all said Senators.

House Bill, entitled

A bill to amend act No. 255 of the laws of 1859, approved February 15, 1859, entitled an act for laying out and establishing a State road from Midland city, in the county of Midland, to St. Charles, in the county of Saginaw.

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. Coulter,	Mr. Monroe,
Backus,	DeLand,	Mulholland,
Baker,	Ingersoll,	Near,
Baldwin,	Jones,	Owen,
Brown,	Lacy,	Strickland,
Butterfield,	Lane,	Wilder,
Carpenter,	McDermid,	Withey,
		21

## NAYS.

Mr. Gale,	Mr. Galloway,	2
-----------	---------------	---

The title was agreed to.

House bill, entitled

A bill to authorize proceedings by garnishment in the circuit court and the district court of the Upper Peninsula,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Monroe,
Backus,	French,	Mulholland,
Baker,	Galloway,	Near,
Baldwin,	Green,	Stout,
Brown,	Jones,	Strickland,
Butterfield,	Lacy,	Tower,
Carpenter,	Lane,	Withey,
Coulter,	McDermid,	23

## NAYS.

0

The title was agreed to.

Mr. DeLand, leave being granted, made the following report:

The special committee of conference to consider the difference between the two Houses upon Senate bill No 64, being

A bill to amend an act entitled an act to provide a military fund in aid of the uniformed volunteer militia, approved February 14, 1859,

Report that they have met a like committee from the House, and recommend that the Senate concur in the first and third amendments, and that the second be amended so as to read "one twentieth," instead of one "fortieth" of a mill, as amended by the House, and ask to be discharged.

CHARLES V. DELAND, for Senate Committee.

House bill No. 19, being  
 A bill to amend an act to establish teachers' institutes, ap-  
 proved February 10, 1855;

Was taken from the table.

Mr. Briggs moved to strike out "for said institute," in the  
 second line of section 2;

Which motion prevailed:

The bill was then read a third time and passed; a majority of  
 all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Mulholland,	
Beckus,	French,	Near,	
Baldwin,	Green,	Owen,	
Briggs,	Hazen,	Strickland,	
Brown,	Lacy,	Webb,	
Butterfield,	Lane,	Withey,	
Coulter,	McDermid,		20

## NAYS.

Mr. Carpenter,	Mr. Jones,	Mr. Wilder,	
Gale,	Monroe,		5

The title was agreed to:

Mr. Coulter moved that House bill, entitled

A bill for the maintenance and support of a school of mines,

Be taken from the table;

Which motion prevailed:

Mr. Coulter offered a substitute therefor;

Which substitute was adopted, and ordered to a third read-  
 ing:

Mr. Green, leave being granted, made the following report:

"The committee on roads and bridges, to whom was referred

A bill to amend section 3, of act No. 152 of session laws of  
 1859, for laying out and establishing a State road in Saginaw  
 and Genesee counties,

Have had the same under consideration, and report the same  
 back without recommendation, and ask to be discharged from  
 the further consideration of the subject.

All of which is respectfully submitted.

N. GREEN, Chairman.



1861.]

THE SENATE.

0017099

The report was accepted, the committee discharged, and the bill laid on the table.

By the committee on roads and bridges :

The committee on roads and bridges, to whom was referred House bill No. 185, have had the same under consideration and report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration thereof.

JOHN G. OWEN, *for the Committee.*

The report was accepted, the committee discharged and the bill ordered to a third reading.

The President announced the following :

MESSAGE FROM THE OTHER HOUSE.

HOUSE OF REPRESENTATIVES,  
Lansing, March 13, 1861. }

To the President of the Senate:

Sir, I am instructed to return to the Senate the following:

A bill to amend chapter 176, of the revised statutes of 1846, being chapter 200 of the compiled laws, by adding 4 new sections thereto, relative to conditional pardons ;

Which the House has amended by inserting after the word "convict," in the 26th line, the following : "the expenses of which trial shall be certified by said circuit court, and paid to the order of the county treasurer of the same county, from the State treasury."

In the passage of which, as amended, the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the amendment concurred in by the following vote:

## YEAS.

Mr. Adair,  
Baldwin,  
Butterfield,  
Carpenter,  
Coulter,  
French,  
Gale,

Mr. Galloway,  
Jones,  
Lacy,  
Lans,  
McDermid,  
Near,

Mr. Owen,  
Stout,  
Strickland,  
Tower,  
Webb,  
Withey,

19

## NAYS.

Mr. Backus,

Mr. Brown,

Mr. Mulholland,

The bill was ordered to be enrolled.

The President also announced the following:

HOUSE OF REPRESENTATIVES,  
Lansing, March 13, 1861. }

*To the President of the Senate :*

SIR—I am instructed to return to the Senate the following:

A bill for the collection of damages sustained by defective bridges on the public highways,

In the passage of which the House has not concurred, a majority of all the members elect not voting therefor.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table.

The President also announced the following:

HOUSE OF REPRESENTATIVES,  
Lansing, March 13, 1861. }

*To the President of the Senate :*

SIR—I am instructed to return to the Senate the following:

A bill to amend an act incorporating the Boston & Pittsburgh Mining Company, approved March 18, 1848,

The House having amended the title so as to read as follows:

A bill to amend an act incorporating the Pittsburgh & Boston Mining Company of Pittsburgh, approved March 18, 1848;

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same

to take immediate effect by a vote of two-thirds of all the members elect.]

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, the amendment of the title concurred in, and the bill ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES,  
Lansing, March 13, 1861.

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following :

A bill to organize the township of Strickland.

The House has amended the title by adding thereto the words "Paris and Verona;" and has amended the bill as follows: By striking out of the third line the word "Delta," and inserting instead the word "Mackinaw." Also, by adding the two following sections to be numbered 2 and 3:

Sec. 2. The surveyed township fifteen (15) north of range fourteen (14) east, in the county of Huron, be and the same is hereby organized into a township by the name of Paris, and the first township meeting therein shall be held at the house of Wm. Willson, in said township, and the said Willson, Thomas G. Thompson and Jerome B. Sharp are hereby authorized to act as inspectors of said first election.

Sec. 3. The surveyed township No. sixteen (16) north of range thirteen (13) east, in the county of Huron, be and the same is hereby organized into a township by the name of Verona, and the first township meeting shall be held at the house of Thomas Philp, and the said Philp, together with Thomas Tema and Andrew McAllister, are hereby authorized to act as inspectors of said first township meeting;

In the passage of which, as amended, the House has concurred by a two-thirds vote of all the members elect, and has en-

dered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the amendments were not concurred in, the following being the vote thereon :

**YEAS.**

Mr. Backus,	Mr. Near,	Mr. Webb,
Briggs,	Owen,	Wilder,
Carpenter,	Stout,	

8

**NAYS.**

Mr. Adair,	Mr. Goulter,	Mr. Lacy,
Baker,	French,	Lane,
Baldwin,	Gale,	McDermid,
Brown,	Galloway,	Williams,
Butterfield,	Green,	Withey,

15

House bill, entitled

A bill to amend act No. 144, of session laws of 1859, being an act to amend act No. 21, of session laws of 1858, it being an act to amend act No. 63, of session laws of 1857, entitled an act to lay out and establish a State road in the counties of Sanilac and Tuscola.

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

**YEAS.**

Mr. Adair,	Mr. French,	Mr. Near,
Backus,	Galloway,	Owen,
Baldwin,	Green,	Stout,
Briggs,	Jones,	Strickland,
Brown,	Lacy,	Tower,
Butterfield,	Lane,	Webb,
Carpenter,	McDermid,	Wilder,
Coulter,	Monroe,	Williams,
DeLand,	Mulholland,	

25

**NAYS.**

The title was agreed to.

House bill No. 145, entitled

A bill to confer certain powers upon the board of supervisors of the counties of Marquette and Delta,

Was read a third time and passed a majority of all the  
Senators elect voting therefor, as follows:

YEAS.		
Mr. Adair,	Mr. French,	Mr. Owen,
Backus,	Galloway,	Stout,
Baker,	Green,	Strickland,
Briggs,	Jones,	Tower,
Brown,	Lacy,	Webb,
Butterfield,	McDermid,	Wilder,
Carpenter,	Monroe,	Williams,
Coulter,	Mulholland,	Withay,
DeLand,	Near,	
NAYS.		

Mr. Gale, 1  
The title was agreed to.  
House bill No. 156, entitled

A bill to provide for the purchase of a collection of the town-  
ship laws of the several townships of this State,

Was read a third time and not passed, a majority of all the  
Senators elect not voting therefor, as follows:

YEAS.		
Mr. Adair,	Mr. French,	Mr. Owen,
Baldwin,	Gale,	Stout,
Briggs,	Galloway,	Tower,
Coulter,	Lacy,	Webb,
DeLand,	Mulholland,	Wilder,
NAYS.		
Mr. Backus,	Mr. Carpenter,	Mr. Near,
Baker,	Jones,	Strickland,
Brown,	McDermid,	Withay,
Butterfield,	Monroe,	

Mr. Coulter moved to reconsider the vote by which Senate  
bill No. 152, was not passed, being

A bill making a grant of swamp lands to promote the early  
completion of the several land grant railroads in the Upper  
Peninsula;

Which motion prevailed.  
Pending the vote on the passage of the bill.  
Mr. Stout moved a call of the Senate.

The title was agreed to.

Senate bill, entitled

A bill to lay out a State road from the south-west corner of Grafton county to the centre of Isabella county,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Backus,	Mr. French,	Mr. Mulholland,
Bailey,	Gale,	Near,
Baker,	Lacy,	Strickland,
Brown,	Lane,	Tower,
Butterfield,	McDermid,	Webb,
Carpenter,	Monroe,	Withey,
DeLand,		

19

## NAYS.

Mr. Adair,	Mr. Briggs,	Mr. Stout,
Baldwin,	Galloway,	

5

The title was agreed to.

Senate substitute for House bill, entitled

A bill to provide for the support and maintenance of the Michigan mining school,

Was read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. Butterfield,	Mr. Monroe,
Backus,	Coulter,	Mulholland,
Baker,	DeLand,	Webb,
Baldwin,	Lane,	Williams,
Brown,		

13

## NAYS.

Mr. Carpenter,	Mr. Jones,	Mr. Tower,
French,	Near,	Withey,
Galloway,	Stout,	

8

On motion of Mr. Baker,

Senate bill No. 147 was taken from the table.

Mr. Stout moved to commit the same to the committee on roads and bridges;

Which motion did not prevail, the following being the vote thereon:

## YEAS.

Mr. Briggs,	Mr. French,	Mr. Stout,
Butterfield,	Galloway,	Tower,
Coulter,	Jones,	

9

## NAYS.

Mr. Adair,	Mr. Carpenter,	Mr. McDermid,
Backus,	DeLand,	Monroe,
Bailey,	Gale,	Near,
Baker,	Lacy,	Williams,
Baldwin,	Lane,	Withey,

15

Mr. Carpenter moved that the rules be suspended, and the bill put upon its immediate passage;

Which motion did not prevail, the following being the vote thereon :

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. McDermid,
Bailey,	Gale,	Monroe,
Baker,	Lacy,	Williams,
Carpenter,	Lane,	Withey,

12

## NAYS.

Mr. Backus,	Mr. Coulter,	Mr. Jones,
Baldwin,	French,	Mulholland,
Briggs,	Galloway,	Stout,
Butterfield,	Green,	Tower,

12

Mr. Stout moved to recommit the bill to the committee on internal improvements, with instructions to strike out all after the enacting clause;

Which motion prevailed, by the following vote :

## YEAS.

Mr. Adair,	Mr. Galloway,	Mr. Stout,
Carpenter,	Jones,	Tower,
Coulter,	Lacy,	Withey,
French,	Lane,	

11

## NAYS.

Mr. Backus,	Mr. Green,	Mr. Mulholland,
Baker,	McDermid,	Strickland,
DeLand,	Monroe,	Williams,
Gale,		

10

Mr. DeLand moved to [take from the table House bill, entitled

A bill to organize the township of Hancock, in Houghton county ;

Which motion prevailed.

Mr. DeLand moved that the Senate recede from its amendments ;

Which motion prevailed.

Mr. McDermid moved to take from the table House bill No. 154, and that it be placed on the order of third reading ;

Which motion prevailed.

The bill was then read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows :

#### YEAS.

Mr. Adair,	Mr. Butterfield,	Mr. Lane,	
Backus,	Coulter,	McDermid,	
Bailey,	DeLand,	Monroe,	
Baldwin,	Green,	Tower,	
Brown,	Lacy,	Williams,	15

#### NAYS.

Mr. Briggs,	Mr. Hazen,	Mr. Stout,	
Carpenter,	Mulholland,	Strickland,	
Galloway,	Near,	Wilder,	9

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 14, 1861. }

To the President of the Senate :

SIR—I am instructed to return to the Senate the following:

A bill making appropriations for removing the east wall and building work shops at the State Prison,

In the passage of which the House has not concurred, a majority of all the members elect not voting therefor.

Very respectfully,

11

ED. W. BARBER,

Clerk of the House of Representatives.

The message was laid on the table.

Mr. Adair offered the following:

Resolved, That the thanks of the Senate be and they are hereby tendered to the Hon. James Birney, Lieutenant Governor, for the able, courteous and dignified manner in which he



has presided over the deliberations of the Senate, during the past session of the Legislature;

Which was adopted.

By the committee on internal improvement:

The committee on internal improvement, to whom was committed the "Mottville bridge" bill, with instructions to strike out all after the enacting clause,

Have had the same under advisement and have directed me to report the enacting clause back to the Senate with the recommendation that there be attached thereto, the bill in relation to usurious contracts, reported by the Senator from the 12th, and with such bill attached, they recommend the passage of the bill, and ask to be discharged from its further consideration.

J. CARPENTER, *Chairman.*

The report was accepted, the committee discharged, and the bill laid on the table.

Mr. Coulter offered the following:

*Resolved*, That the thanks of the Senate are herewith tendered to the Hon. Joseph R. Williams, President *pro tempore* of the Senate, Aaron B. Turner, Secretary, Wm. A. Boyce, Assistant Secretary, James M. Rosse, Enrolling and Engrossing Clerk, John R. Martin, Sergeant-at-Arms, John C. Rockafellow, Assistant Sergeant-at-Arms, and other officers of this body, for the able and very satisfactory manner in which they have severally discharged the duties of their offices;

Which resolution was adopted.

Mr. Baker offered the following:

*Resolved*, That a vote of thanks is due Messrs. Hosmer & Kerr, for the faithful and efficient manner in which they have discharged their duty to this body as State Printers;

Which resolution was adopted.

Mr. Monroe offered the following:

*Resolved*, That the thanks of Senators and officers of the Senate be tendered to the messenger boys, for their good and manly behavior during the session;

Which resolution was adopted,

Mr. Monroe moved to reconsider the vote by which House bill No. 154 was not passed, the same being

A bill regulating proceedings in certain cases of nuisance;

Which motion prevailed, by the following vote :

## YEAS.

Mr. Adair,	Mr. French,	Mr. Near,
Baker,	Green,	Owen,
Baldwin,	Lacy,	Tower,
Briggs,	Lane,	Webb,
Brown,	McDermid,	Williams,
Coulter,	Monroe,	Withey,
DeLand,		

19

## NAYS.

Mr. Carpenter,	Mr. Jones,	Mr. Strickland,
Galloway,	Stout,	Wilder,

6

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

Mr. Adair,	Mr. French,	Mr. Near,
Baker,	Green,	Owen,
Brown,	Lacy,	Tower,
Butterfield,	Lane,	Webb,
Coulter,	McDermid,	Williams,
DeLand,	Monroe,	Withey,

18

## NAYS.

Mr. Briggs,	Mr. Galloway,	Mr. Stout,
Carpenter,	Jones,	Wilder,

6

The title was agreed to.

Mr. French offered the following:

*Resolved*, That the thanks of the Senate be tendered to the citizens of the city of Lansing for their kind and courteous treatment of the members of the legislature during its session;

Which resolution was adopted.

Mr. DeLand offered the following:

*Whereas*, The House have refused to concur in the appropriation bill for the enlargement of the Michigan State prison;

*And whereas*, Such action is deemed by this body prejudicial to the interests of the State; therefore

*Resolved*, (if the House concur,) that courts of this State be requested (in view of the present crowded state of that institution, and its incapacity to supply the wants of the State,) to hereafter sentence persons convicted of crime to county jails, in every case where the same is allowed by law, and also in other cases to make only the shortest sentences to the State prison.

*Resolved*, (if the House concur,) That the Inspectors of the State prison be requested to enter into immediate arrangements to transfer all prisoners possible to the Detroit work house, in order to, as nearly as possible, support said work house out of the treasury of the State.

The resolution was not adopted, the following being the vote thereon:

## YEAS.

Mr. Backus,	Mr. Gale,	Mr. McDermid,
Baker,	Green,	Near,
Brown,	Lacy,	Webb,
Carpenter,	Lane,	Wilder,
DeLand,		

13.

## NAYS.

Mr. Adair,	Mr. French,	Mr. Stout,
Baldwin,	Galloway,	Tower,
Briggs,	Jones,	Williams,
Butterfield,	Muholland,	Wither,
Coulter,	Owen,	

14.

Mr. Carpenter offered the following :

*Resolved*, That the thanks of the Senate are hereby tendered to the clergymen of the city of Lansing, for the appropriate manner in which they have discharged their duty ;

Which resolution was adopted.

The Senate then adjourned.

---

*Lansing, Friday, March 15, 1861.*

The Senate was called to order by the Secretary at 9 o'clock.

Roll called : not a quorum present.

The Senate adjourned until 9 o'clock to-morrow morning.

*Lansing, Saturday, March 16, 1861.*

The Senate was called to order by Senator Williams, President *pro tempore* of the Senate, at 9 o'clock.

Roll called : not a quorum present.

REPORTS OF STANDING COMMITTEES.

By the committee on enrollment :

The committee on enrolled bills, to whom was referred

A bill for the apportionment of Senators in the State legislature ;

Also,

A bill to amend sections 3520, 3521 and 3522, of chapter 115 of the compiled laws, concerning the abatement and revivor of suits in chancery ;

Also,

A bill to amend section 59, chapter 6, of the compiled laws, concerning the canvassing of votes at elections ;

Also,

A bill to amend an act entitled an act to provide against the recovery of damages done by beasts on lands which are not enclosed by a lawful fence, approved March 17, 1847, being section 628 of compiled laws ;

Also,

A bill to regulate the manner of attaching unorganized territory to organized counties, for judicial and municipal purposes ;

Also,

A bill to amend an act entitled an act relative to plank roads, approved March 13, 1848 ;

Also,

Joint resolution authorizing a settlement with Warren Thompson, Sidney Green, John Stuart, Richard Peters, Charles Dean and T. G. Barker ;

Also,

A bill to amend section 2435 of the compiled laws, relative to the payment of moneys by purchasers of the trust funds to county treasurers ;

Also,

A bill to amend section 1661 of chapter fifty-two of the compiled laws, in relation to the manufacture and sale of spirituous or intoxicating liquors as a beverage;

Also,

A bill relative to laying out, altering and discontinuing highways;

Also,

A bill to quiet title in the county of Kent and other counties;

Also,

A bill to divide the State into six congressional districts;

Also,

A bill to establish the Detroit house of correction, and authorize the confinement of convicted persons therein;

Also,

A bill to regulate proceedings in case of recompment;

Also,

A bill to grant 25,000 acres of State swamp land to the German-American Seminary, of the city of Detroit;

Also,

A bill to authorize and empower judges of probate to license executors, administrators and guardians to mortgage or otherwise pledge estates for the settlement of debts against the same;

Also,

A bill to amend an act entitled an act to provide for the drainage and reclamation of swamp lands by means of State roads and ditches, approved February 12, 1859, by adding thereto sections 13, 14, 15, 16, 17, 18, 19, 20 and 21;

Also,

A bill to amend certain sections of the primary school laws;

Also,

A bill to amend an act entitled an act to provide for the incorporation of railroad companies, approved February 12, 1858;

Also,

A bill to amend an act entitled an act relative to the State

prison, approved February 13, 1859, being sections 6231 and 6232 of the compiled laws;

Also,

A bill to preserve the purity of elections;

Also,

A bill relative to the letting of contracts by State officers, boards of control, inspectors or commissioners;

Also,

A bill to amend section 93, of an act to provide for holding general and special elections, approved June 27, 1851, relative to the fees of county clerks and district canvassers ;

Also,

A bill to amend section 2581, of the compiled laws, being section 4 of an act entitled an act to provide for the collection of tolls and for the care, charge and operating of the St. Mary's Falls ship canal, approved Feb. 12, 1855;

Also,

Joint resolution to provide for an amendment to the constitution relative to removals from office;

Also,

A bill granting swamp land to the county of Genesee, to aid in cutting drains through certain swamps in said county;

Also,

A bill to authorize the district judge of the Upper Peninsula to convey certain lands held in trust, under the act of Congress of May 23, A. D. 1844;

Also,

A bill to amend an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 14th, 1858, and the acts amendatory thereto, approved February 12th, 1855, and February 4th, 1858;

Also,

A bill to provide for the construction of a State road in Saginaw county;

Also,

A bill to amend chapter 170, of the revised statutes of 1846, being chapter 200 of the compiled laws, by adding 4 new sections thereto, relative to conditional pardons;

Also,

A bill to amend an act incorporating the Pittsburgh & Boston Mining Company, of Pittsburgh, approved March 18, 1848;

Also,

A bill making a grant of swamp lands to promote the early completion of a railroad from the mouth of the Menominee river to Marquette, on Lake Superior, in the Upper Peninsula;

Also,

A bill to reorganize the agricultural college of the State of Michigan, and to establish a State board of agriculture;

Also,

A bill to assess a specific tax for the improvement of the meridian line road, between Lenawee and Hilldale counties;

Also,

A bill making an appropriation for the support of the State agricultural college and the board of agriculture;

Also,

A bill granting to the Grand River Valley Railroad Company the right of way across certain State lands, and extending the time for the construction of the same;

Also,

A bill to amend section 26, of chapter 101, of the revised statutes of 1846, being section 3064 of the compiled laws, relative to the sale of real estate of deceased persons;

Also,

A bill to amend an act to incorporate the city of Owosso, approved February 15, 1859;

Also,

A bill to amend an act to provide a military fund, in aid of the uniformed volunteer militia, approved February 14, 1859;

Also,

A bill to incorporate the village of Constantine;

Also,

Joint resolution to provide for amendments of article 15, sections 1, 2 and 4; article 18, section 6; article 19, section 6; and article 20, section 2, of the Constitution of the State of Michigan;

Also,

A bill to authorize the several townships in the counties of Muskegon, Oceana, Mason and Manistee to levy taxes for the improvement of harbors and rivers within their respective counties;

Also,

A bill to amend an act entitled an act to authorize proceedings against garnishees, and for other purposes, approved March 28, 1849, being chapter 141 of the compiled laws;

Also,

A bill to amend act No. 200 of the session laws of 1859, being an act to encourage the manufacture of salt in the State of Michigan, approved February 15, 1859;

Also,

A bill to amend an act entitled an act to amend an act to incorporate the village of Kalamazoo, and the acts amendatory thereto, approved April 1st, 1850, and the acts amendatory thereto;

Also,

A bill to repeal an act to furnish the Michigan Journal of Education to the school districts, approved February 14, 1857;

Also,

A bill to authorize the Auditor General to vacate and set aside certain tax sales and deeds thereon;

Also,

A bill for the collection of damages sustained by defective bridges on public highways;

Also,

A bill authorizing the supervisors of the several towns in the upper peninsula to assess and collect the State taxes upon all mining companies' real estate or other property;

Also,



A bill to organize the townships of Paris and Verona, in Huron county;

Also,

A bill to organize the township of Strickland;

Also,

A bill to enlarge union school district No. 2, in Pontiac, Oakland county;

Also,

A bill to amend sections 1, 2, 3, 4, 6 and 7 of an act entitled an act to incorporate the fire department of the city of Detroit, approved February 14, 1849, and an act amendatory thereto, approved January 14, 1859;

Also,

A bill to incorporate the city of Pontiac;

Would respectfully report that they have examined said bills, and herewith return them to the Senate, correctly enrolled.

H. C. BRIGGS, *Chairman.*

MESSAGE FROM THE GOVERNOR.

The President *pro tempore* announced the following:

EXECUTIVE OFFICE,  
Lansing, March 15, 1861. }

*To the Senate :*

I have approved and deposited in the office of the Secretary of State the following :

An act to amend an act entitled an act disposing of certain grants of land made to the State of Michigan for railroad purposes, by act of Congress, approved June 3, 1856, approved February 14, 1857;

Also,

Joint resolution to authorize the Board of State Auditors to audit and allow the claim of William Beard, in the matter of the improvement of navigation over the sand flats of the Muskegon river, and to authorize the Commissioner of the State Land Office to issue patents of State swamp land therefor;

Also,

An act to discontinue a portion of the Allegan and Lansing State road ;

Also,

Concurrent resolution relative to the furnishing of documents to members and officers of the State legislature ;

Also,

Concurrent resolution relative to compiling and preparing the journals and documents of the present legislature ;

Also,

An act to establish the Detroit house of correction, and authorize the confinement of convicted persons therein ;

Also,

An act relative to laying out, altering and discontinuing highways ;

Also,

An act to quiet title in the county of Kent ;

Also,

An act for the apportionment of Senators in the State Legislature ;

Also,

An act to amend section 59, chapter 6, of the compiled laws concerning the canvassing of votes at elections ;

Also,

An act to amend an act entitled an act to provide against the recovery of damages done by beasts on lands not enclosed by a lawful fence, approved March 17, 1847, being section 625 of compiled laws ;

Also,

An act to regulate the manner of attaching unorganized territory to organized counties for judicial and municipal purposes ;

Also,

An act to amend section 2435, of the compiled laws, relative to the payment of moneys by purchasers of the trust funds to county treasurers ;

Also,

An act to divide the State into six congressional districts ;

Also,

An act to amend section 1661 and 1677, of chapter 52, of compiled laws, in relation to the manufacture and sale of spirituous or intoxicating liquors as a beverage;

Also,

An act to authorize and empower judges of probate to license executors, administrators and guardians to mortgage or otherwise pledge estate for the settlement of debts against the same;

Also,

Joint resolution to provide for an amendment to the constitution relative to removals from office;

Also,

An act to amend an act entitled an act relative to the State Prison, approved February 12th, 1851, being sections 6231 and 6232 of compiled laws;

Also,

Joint resolution authorizing the Commissioner of the Land Office to issue certificates of certain lands to Malcolm Carr and Darwin D. Carr;

Also,

An act granting swamp lands to the county of Genesee, to aid in cutting drains through a certain swamp in said county;

Also,

An act to amend section 93 of an act to provide for holding general and special elections, approved June 27, 1851, relative to the fees of county clerks and district canvassers, (compiled laws, paragraph 117;)

Also,

An act to amend section 2581, of the compiled laws, being section 4 of an act entitled an act to provide for the collection of tolls, and for the care, charge and operating of the St. Mary's Falls ship canal, approved Feb. 12th, 1855;

Also,

An act relative to the letting of contracts by State officers, boards of control, inspectors, or commissioners;

Also,

An act to preserve the purity of elections;

Also,

An act to amend an act entitled an act to provide for the incorporation of railroad companies, approved Feb. 12, 1855;

Also,

An act to regulate proceedings in case of recoupment;

Also,

An act to grant 25,000 acres of State swamp land to the German-American Seminary, of the city of Detroit;

Also,

An act to amend certain sections of the primary school law;

Also,

An act to amend an act entitled act to provide for the drainage and reclamation of swamp lands by means of State roads and ditches, approved February 12, 1859, by adding thereto sections 13, 14, 15, 16, 17, 18, 19, 20, and 21;

Also,

An act to amend sections 3520, 3521 and 3522, of chapter 115, of the compiled laws, concerning the abatement and revival of suits in chancery;

Also,

An act to reorganize the agricultural college of the State of Michigan, and to establish a State board of agriculture;

Also,

An act making appropriations for the support of the State Agricultural College and the State board of agriculture;

Also,

An act to amend section 26, chapter 101 of the revised statutes of 1846, being section 3864 of compiled laws, relative to the sale of real estate of deceased persons;

Also,

An act to amend an act entitled an act to authorize proceedings against garnishees and for other purposes, approved March 28, 1849, being chapter 141 of the compiled laws;

Also,

An act to authorize the several townships in the counties of

Muskegon, Oceana, Mason and Manistee, to levy taxes for the improvement of harbors and rivers within their respective counties ;

Also,

An act to assess a special tax for the improvement of the meridian line road between Lenawee and Hillsdale counties ;

Also,

An act to amend act No. 200, of the session laws of 1859, being an act to encourage the manufacture of salt in the State of Michigan, approved February 15, 1859 ;

Also,

An act granting to the Grand River Valley Railroad Company the right of way across certain State lands, and extending the time for the construction of the same ;

Also,

An act to amend an act entitled an act to provide a military fund in aid of the uniformed volunteer militia, approved February 14, 1859 ;

Also,

An act to re-incorporate the village of Kalamazoo, and to repeal all inconsistent acts and parts of acts ;

Also,

An act to incorporate the village of Constantine ;

Also,

An act to amend an act to incorporate the city of Owosso, approved February 15, 1859 ;

Also,

An act to amend sections 1, 3, 4, 5, 6 and 7, of an act entitled an act to incorporate the fire department of the city of Detroit, approved February 14, 1840, and an act amendatory thereto, approved January 14, 1859 ;

Also,

An act to incorporate the city of Pontiac ;

Also,

An act to enlarge union school district No. 2, of Pontiac, in the county of Oakland ;

Also,

An act to amend chapter 170 of the revised statutes of Michigan, of 1846, being chapter 200 of the compiled laws, by adding four new sections thereto, relative to conditional pardons ;

Also,

Joint resolution. to provide for amendment of article 15, sections 1, 2 and 4, article 13, section 6, article 19, section 6, and article 20, section 2, of the Constitution of the State of Michigan ;

Also,

An act to amend an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 14, 1853, and the acts amendatory thereto, approved February 12, 1855, and February 4, 1858 ;

Also,

An act for the collection of damages sustained by defective bridges on the public highways ;

Also,

An act to authorize the Auditor General to vacate and set aside certain tax sales and deeds thereon ;

Also,

An act authorizing the supervisors of the several towns in the Upper Peninsula to assess and collect taxes upon all mining companies' real estate or other property ;

Also,

An act to organize the township of Strickland ;

Also,

An act to organize the townships of Paris and Verona, in Huron county ;

Also,

An act to repeal an act entitled an act to furnish the Michigan Journal of Education to school districts, approved February 14, 1857 ;

Also,

An act to provide for the construction of a road in Saginaw county ;

Also,

An act to authorize the district judge of the Upper Peninsula to convey certain lands held in trust under the act of Congress of May 23, A. D. 1844 ;

Also,

An act to amend an act incorporating the Pittsburgh & Boston Mining Company of Pittsburgh, approved March 18, 1848 ;

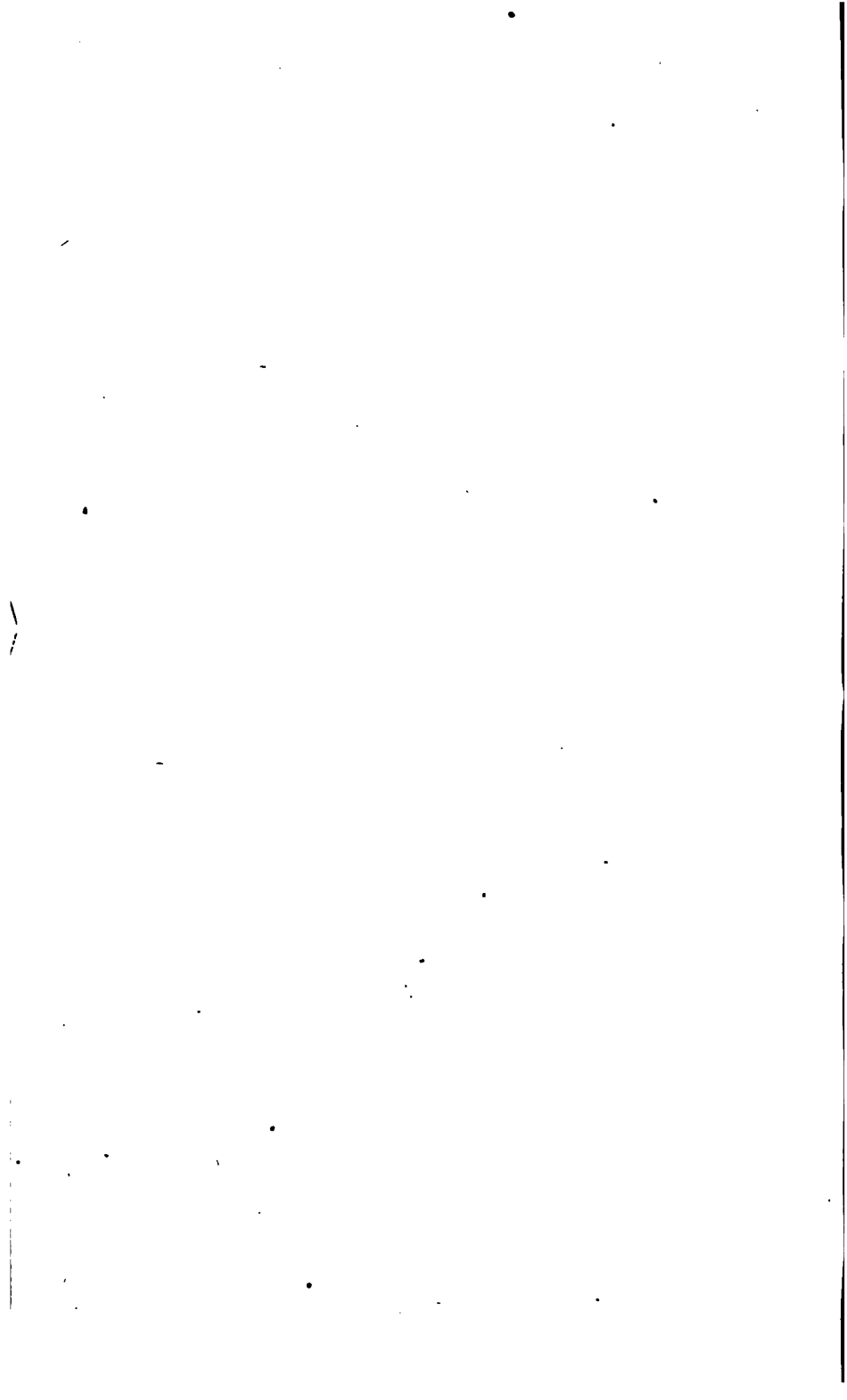
Also,

An act making a grant of swamp lands to promote the early completion of a railroad from the mouth of the Menominee river to Marquette, on Lake Superior, in the Upper Peninsula.

AUSTIN BLAIR.

The message was laid on the table.

There being no further business before the Senate, and the hour of twelve o'clock, M., having arrived, the Senate adjourned *sine die*.





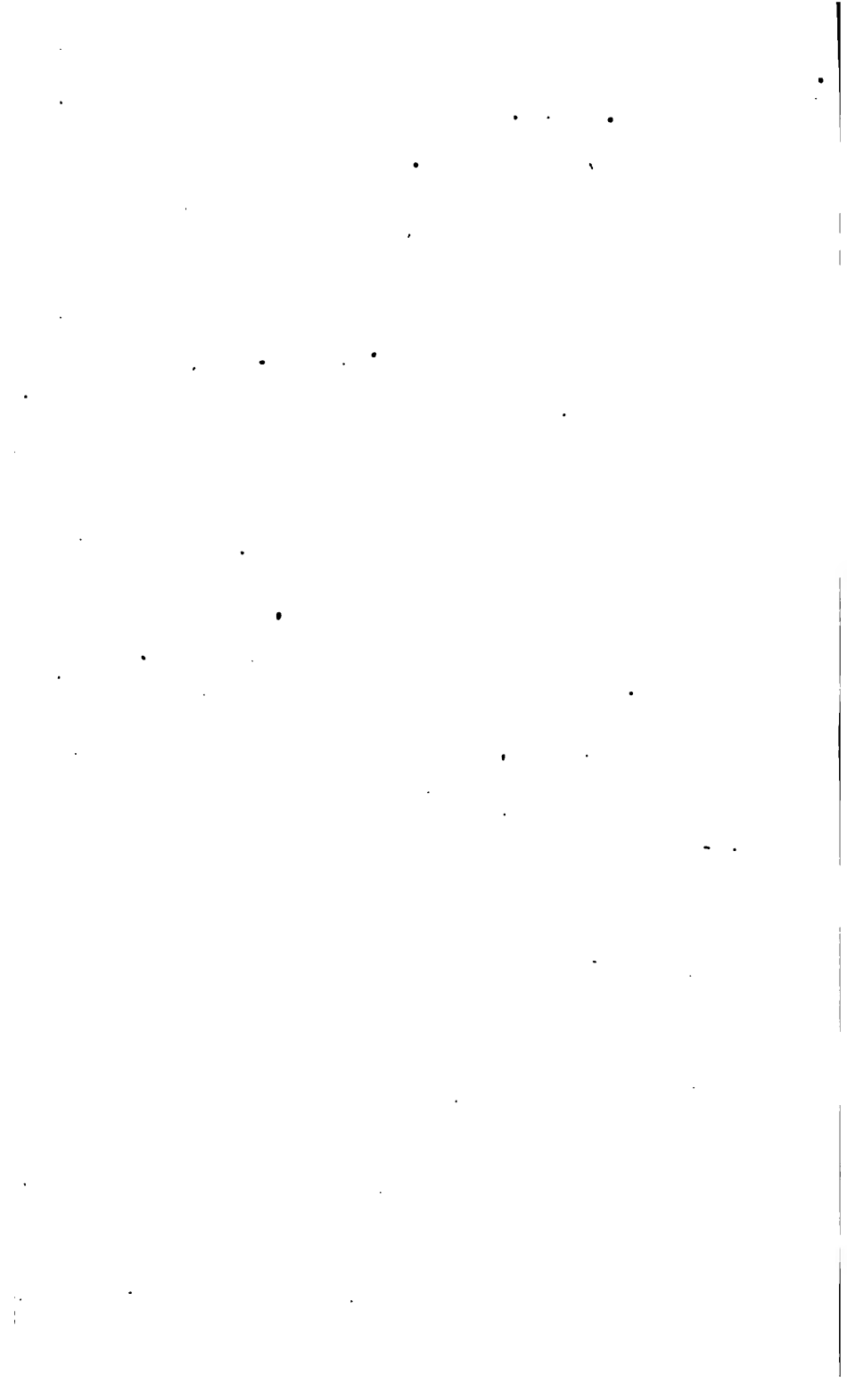
---

---

# EXECUTIVE JOURNAL.

---

---



# EXECUTIVE JOURNAL.

---

SENATE CHAMBER,  
*Lansing, January 9, 1861.* }

IN EXECUTIVE SESSION.

The President announced the following communication from the Governor :

EXECUTIVE OFFICE,  
*Lansing, January 9, 1861.* }

*To the Honorable, the Senate:*

I nominate for the office of Notary Public, for the several counties hereinafter named, the persons following.

Very respectfully,  
AUSTIN BLAIR.

For the county of Wayne:

Charles P. Crosby, J. Bouton Crosby, James M. Johnson, George W. Rose, John Graves, J. Wilkie Moore, Alexander H. Adams, Darius Lamson, George M. Danforth, J. Elisha Winder, John Kaple, Andrew McLellan, James R. Hammond, Thos. J. Barry, Charles M. Young, Rollin C. Smith, Timothy McCarthy, Geo. B. Ensworth, Francis Crawford, Jr., David Preston, Everett Wynkoop, Samuel Phelps, John J. Leonard, Smith R. Woolley, to commence on the 24th of January ; William H. Serviss, Walter D. Whalen, Dyer C. Ramsdell, Cyrus B. Packard.

For the county of Kent:

John M. Mathewson, James Miller, James B. Willson, Crawford Angell, James H. McKee, Lewis P. Clark, Elihu N. Taylor, John G. Beekman, Peter G. Kock, John K. Truax, Thaddeus Foote, Jr., James A. Rogers.

For the county of Washtenaw:

Obadiah Priest, John F. Miller, Wm. R. Martin, Wm C. Stevens, Patrick Wall, Roswell Curtis, Delos Showerman, Byron M. Cutcheon, Edmund B. Tyler, Henry D. Starmand, Oliver M. Smith, Edward Clark, Augustus Widenman.

For the county of Jackson:

James H. Pilcher, Henry C. Clark, William L. Seaton, William R. Bentley, Edward Pomeroy, James F. Tuttle, John W. Webster.

For the county of Oakland:

Elkanah B. Comstock, Albert H. Wilkinson.

For the county of Hillsdale:

Samuel S. Chandler, Isaiah H. McCollum, Charles C. Doolittle, William R. Porter, James Pratt, William S. Edwards, William Young.

For the county of Kalamazoo:

Benjamin F. Travis, Rufus H. Grovesnor, John S. Porter.

For the county of Cass:

William H. Campbell, Justus Gage, J. B. Clark.

For the county of Van Buren:

Robert Burns.

For the county of Huron:

John Hepson.

For the county of Ottawa:

George C. Hubbard, Frank C. Stuart, William P. Duncan, Healy C. Akeley.

For the county of Manistee:

William W. Carpenter, Delos L. Filer.

For the county of Grand Traverse:

Charles H. Marsh, Morgan Bates, Theron Bostwick

For the county of Leelanaw:

Charles H. Holden.

For the county of Calhoun:

Dugald C. Morrison, Joseph C. French.

For the county of Sanilac:

Watson Beach, Samuel Burgess.

For the county of Saginaw:

George B. Whitman, John H. Springer.

For the county of Marquette:

James I. St. Clair, Philo M. Everett.

For the county of Ingham:

Orren A. Jenison.

For the county of Montcalm:

John F. Loose.

For the county of Lenawee:

Andrew C. Morell, Clement E. Weaver, George Monteith,  
James W. Stevens, Charles D. Stevens, Cornelius Quick.

For the county of Livingston:

William Williamson, Henry Hathnan

Mr Ingersoll moved that a committee of three be appointed by the President, to whom shall be referred the Executive business of the session ;

Which motion prevailed.

The President appointed Senators Ingersoll, Carpenter and Adair, such committee

On motion of Mr. Tower,

The communication was referred to the committee on Executive business.

On motion of Mr. DeLand,

The Executive session adjourned until to-morrow.

*Lansing, January 10, 1861.*

Executive session opened at 11 o'clock.

Mr. Ingersoll made the following report:

The Executive committee, to whom was referred the nomination of sundry persons to the office of Notary Public, have had the same under consideration, and have instructed me to report them back, and recommend that the Senate do advise and consent to the several nominations, and ask to be discharged from the further consideration thereof.

JOHN N. INGERSOLL, *Chairman.*

The report was accepted, the committee discharged from the further consideration of the subject referred to them; and

On motion of Mr. Ingersoll,

The Senate advised and consented to the nominations of the Governor, by yeas and nays, as follows:

## YEAS.

Mr. Adair,	Mr. French,	Mr. Near,
Bailey,	Green,	Owen,
Baker,	Hazen,	Stout,
Baldwin,	Ingersoll,	Strickland,
Briggs,	Jones,	Tower,
Brown,	Lacy,	Webb,
Butterfield,	Lane,	Wilder,
Carpenter,	McDermid,	Williams,
Coulter,	Mulholland,	Withey,
DeLand,		

28

## NAYS.

0

The Executive session then closed.

*Lansing, January 18, 1861.*

The President announced the following communication from the Governor:

EXECUTIVE OFFICE,  
*Lansing, January 18, 1861.* }

*To the Senate:*

I hereby nominate the several persons mentioned in the enclosed list to the office of Notary Public, for the several counties therein named.

AUSTIN BLAIR

For the county of Allegan:

William D. Lane, James R. Jedkins, Ralph Pratt, Jacob B. Bailey, George Wildeboer, John W. Stone, Jacob V. Rogers, Joseph Thew, John E. Babbitt, Joel Brownson, Timothy McDowell, Henry E. Mackinnon, C. Stanley Fortel, Hiram S. Manson, Ira Chicester, Henry C. Slaughter.

For the county of Bay:

Theophilus C. Gale, Michael Winterhalter, John McEwen, Luther Beckwith.

For the county of Barry:

David R. Cook, Perry Chance, Martin Palmer, Sherman E. Prindle, Orrin L. Ray, DeWitt C. Hawley, James S. Tuxbury, John F. Emory, Andrew G. Browne, Carlos O. Scott, Russel B. Wightman, Charles G. Holbrook, Porter Barton, Orrin L. Ingram, Edwin M. Bates, Jared M. Rogers, Isaac Messer, Joseph W. T. Orr, James L. Sisson, Abram Ryerson, David D. Darling, Andrew G. Beers, Eli Nichols, Henry Brown, Joseph Kinsley, John W. Bradley, Joseph P. Cook, Porter Freeman, Harvey N. Sheldon, Thomas G. Humphrey, William P. Bristol, George W. Knapp, Delos R. McElwaine, John L. Mills, Chauncey L. Briggs.

For the county of Branch:

Jonathan G. Parkhurst.

For the county of Calhoun:

Henry T. Hinman, Walter W. Woolnough, John Clahan, Charles M. Leon, Sylvester Reed, James S. Upton, S. Butler Thayer, Levant C. Rhines, Henry E. Phelps, Theron Hamilton, Egbert N. Edmunds, John F. Hinman, Tracy L. Southworth, Norman J. Strong, Leonard H. Stewart, Eli L. Stillson, James W. Oakley.

For the county of Cass:

Moses E. Messenger.

For the county of Clinton:

Richard Baylis.

For the county of Eaton :

John Q. A. Sessions, Henry A. Shaw, Isaac M. Crane.

For the county of Genesee :

William P. Guest, Clarence S. Avery, Henry C. Walter, George Ricker, Thomas Snowden, Timothy P. Thompson, Dexter Horton.

For the county of Gratiot :

Charles B. Holiday, George Tompkins, Barlow Worthing, Moses Tompkins.

For the county of Hillsdale :

Andrew M. R. Fitzsimmons, William W. Brewster, Joseph

Bartholomew, Amos W. Clark, Chauncey Leonard, Orsamus Doty, David C. Fuller, Abram Stafford, Volney V. B. Merwin, Daniel Timms, Charles Griswold, Timothy E. Dibell, Witter J. Baxter, Frederick M. Holloway, Robert T. Lewis, Samuel Cally, Edwin Walter, Henry T. Farnam, John M. Moreland, William Divine, George A. Knickerbocker.

For the county of Houghton:

Oscar I. Foot, Thomas H. Low, John Alexander.

For the county of Huron:

Charles B. Cottrell, David G. Philbrick.

For the county of Ionia:

George R. Sailes, James Chambers, Dwight W. Jackson, Melvin Dresser, Thomas White, Winslow P. Burhans, Charles T. Andrews, Thomas Cornell, Alanson Cornell, Asa Skinner, Henry Bartow, A. Benton More.

For the county of Jackson:

George W. Brown, Ambrose E. Barrett, Grove H. Wolcott, Mason W. Southworth, Charles W. Penny, George W. Sullivan, J. Henry Pilcher, William Grandy, Daniel Upton, James Holley, Joseph Townson, John B. Carter, James Dwelle, Benjamin Newkirk, Henry W. Doney, James A. Dyer, Philander Pease, Walter R. Williams, John Hall, Norman Allen, Jefferson Morrill, William Johns, Charles N. Mills, Edward Pomeroy, Albert Paddock, Melville McGee, James M. Dodge, Edward B. Warner, Perry Hawkins, William K. Gibson, Edmund Upton, William B. Meriman, James A. McMillan, Lucien B. Beardsley, James Mallock, Cavallo S. Pratt, Amasa Hawkins, Simon Holland, Houghton Butler, James C. Wood, J. White Kelly, Zimri M. Barber, William Gardner, Abram Arnold, Lincoln Wood, George Smith, Roswell Chamberlin, Robert Davis, Chester Armstrong, Charles Hawley, William Acker, Henry Clark, Jerry Reynolds, Almon M. Gunyard, James DePuy, John Beldin, John D. Olcott, Ira A. Willis, Stephen Fowler, Leroy Richardson, Darius L. Ball, Anthony B. Hughes, Victor M. Bostwick, Luther F. Granby, Charles E. Beebe, Lyman Hawley, Eastman Morrill.

For the county of Kalamazoo:



Charles A. Thompson, Jr., Thomas J. Whitney, Daniel S. Woodward, William A. Weed, Ephraim T. Mills, Darwin H. Barns, Josiah B. Judson, Joseph W. Hicks, Marsh Giddings, Charles B. Hayden, Daniel Frink, Sylvester W. Mills, John M. Lay, James Henry.

For the county of Kent:

Benjamin Fairchild, Henry C. Wiley, Frederick D. Richmond, Jacob Quintus, George H. White, Chauncey Marsh.

For the county of Lapeer:

A. Millard Cole, Daniel L. Godfrey, Mortimer F. Price, Alanson Hammond, John M. Hemingway, Shadrack N. Vincent, Conrad Rossman, Harmon Barnes, Lorenzo Hoard, Henry L. Hemingway, Samuel Carpenter, James B. Dutton, Ulysses D. Bristol, Martin Hall, Hubbard Loomis, Philemon J. Pope, William Arnold, Dennison E. Hazen, Jacob L. Green, John N. Harris, Jonathan B. White, J. Henry Turrill, Mark Bailey, Daniel Fletcher, Charles M. Walker.

For the county of Lenawee:

Ephraim D. Kidder, Lucius Lilley, Norman Geddes, David Carpenter, William H. Graves, David Horton, Peter W. Adams, Lysander Ormsby, Charles H. Dewey, Norman B. Carter, Andrew Howell, John I. Knapp, William C. Kinney, Sewall S. Groff, Royal Barnum, Henry E. Baker, Peter Sharpe, Robert R. Beecher, Freeman E. Olmstead, Perley Bills.

For the county of Livingston:

John Gilluly, Thomas J. Conely, Lewis M. Smith, Benjamin H. Lawson, David Bush, John W. Ingram, Byron A. Lumbard, Hebart Twichell, Henry W. Spencer, Leland Walker, Ira W. Case.

For the county of Macomb:

Moses Bottomley, Solon P. Spafford, George L. Perkins, Isaac B. Gilbert.

For the County of Mecosta:

Orrin Stevens, Frederick Raznsford, Howard W. Wiltsie.

For the county of Monroe:

William Dunbar, Constant Luce, John R. Rack.

For the county of Montcalm:

Westbrook Divine.

For the county of Newaygo:

Warren P. Adams, Hiram Baker, William A. Hoskins, Augustine H. Giddings, John H. Standish, Nelson Higbee, James Barton, Melvin W. Scott, Shepard Tibbitts, William S. Utley, Everett Douglass.

For the county of Oakland:

Heman D. Calkin, Charles Baldwin, William Cone, Francis Colman, Almon Maek, William W. Norton, Alexander Ter Bush, Alphonso Parker, Charles Rossman, Joseph Houghtaling, Hiram A. Armstrong.

For the county of Ontenagon:

Robert Allen, Joshua Crozer.

For the county of Ottawa:

George Luther, Robert B. McCulloch, John Roost, Freeman Benton, Allyn C. Litchfield, Ernest G. Auger, Hamilton M. Walrath, William S. Atwood.

For the county of Saginaw:

Dewitt C. Gage, Chauncey C. Gage, George E. Townson, Anthony Grahmann, Alfred Stewart, Harvey Joslyn, Ira La Munyon, George W. Waldron, William J. Loveland, Alfred Holmes, Henry Payne.

For the county of Shiawassee:

John L. E. Kelly, Charles S. Kimberly.

For the county of St. Clair:

Henry Riex, Ira Spencer, Joseph W. Sage, William Cole, Waltermann Miller, Lewis Peisels, John Allen, Wallace W. Horton, James Quick, George S. Granger, David Gallaher, Alvah S. Lemont, Elwin M. Cady, James W. Pettys, Robert N. Hulett, Hiram Hunt, Patrick Doheney, Arthur Sharp, George A. Funston, Jefferson Wilder, Eber W. Owen, George F. Collins, Ansel B. Clough, Edward W. Harris, James I. Scarritt, Calvin Blood, Joseph W. Green, Elbridge Marks, Joseph Rickerson, Harvey McAlpin, O'Brien J. Atkinson.

For the county of St. Joseph:

Richard Reed, Norman S. Andrews, Philip H. Buck, George W. Warren, Herman H. Cole, George W. Bissel, Daniel H. Lord, Frederick Shurtz, Hezekiah Wetherbee, Lemuel C. Lairel, William Savier, Hiram Lindley, Gersham P. Doan, Benajah M. Adams, Oscar Waters, James H. Lyon, Benjamin W. Hutton, Adolphus E. Hewitt, Henry H. Riley, Abraham C. Prutzman, Joseph B. Millard, Thomas W. Glass, Horatio B. Warner, Ephraim H. Sheldon, Charles R. Millington, Salathiel C. Coffinbury, German Brown, Alfred R. Metcalf, Cyrus Schellhous, Thomas Mitchell, William G. Woodworth, James Eastman Johnson, Charles Betts, Henry Rayner, Comfort Tyler, Isaac R. Belote, Charles L. Miller, William H. Cross.

For the county of Van Buren:

Charles A. Still, Richard H. Finley.

For the county of Washtenaw:

Lyman W. Wallace, James Kingsley, Jr., Samuel Grisson, Joseph Vance, Edward P. Clark, Tracy W. Root, John N. Gott, William A. Martin, James S. Fisher.

For the county of Wayne:

Hiram B. Thayer, Luther S. Trowbridge, George C. Codd, Sears Stevens, John B. Wallace, Frederick E. Driggs, John A. Fairfield, Julius S. Blodgett, Anson W. Waring, James A. Jacokes, Joseph C. Hatch, William H. Brace, William H. Barse, Henry H. Brown, Marcus A. Chase, Henry B. Brown, Duncan McKay, Grover S. Wormer, George M. Chester, Eugene T. Barnum, John J. Speed, George B. Boardman, John W. Strong, Oliver Bourke, George W. Gilbert, Caleb Ives, Hobart Miller, Lyster O'Brien, Ralph C. Smith, Daniel P. Bushnell, James O. Melick, William D. Wilkins, John Voorhees, Samuel E. Pittman, Thomas W. Mizner, Joseph T. Wilder, Robert McFarlane, Henry M. Whittelsey, Charles A. Kent, John S. Newberry, Ashley Pond, George B. Russell, Frederick H. Elder, Orville McEddy, John B. Howard, Romyne B. Murray, John Boyce, Edmund Hall, James W. Richards, William S. Hosmer, Edward H. Butler,

Elijah H. Meddaugh, Charles H. Dyer, Samuel Ludlow, James Donnelly, Robert H. Walker.

The communication was read and referred to the committee on executive business.

The executive session closed.

*Lansing, January 19, 1861.*

Executive session opened at 11 o'clock.

The executive committee submitted the following report:

The executive committee, to whom was referred the nominations of sundry persons to the office of Notary Public, have had the same under consideration, and have instructed me to report them back, and recommend that the Senate do advise and consent to the several nominations therein named, with the exception of Hiram S. Manson, who is now a Notary Public, and that the names of Ephraim D. Kidder and Charles H. Dewey, of Lenawee; Henry E. Blackman, of Allegan; and John L. E. Kelly, of Shiawassee, be laid upon the table.

JOHN N. INGERSOLL, *Chairman.*

The report was accepted, and its recommendations concurred in, by the following vote:

YEAS.

Mr. Adair,  
Backus,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Coulter,  
DeLand,

Mr. French,  
Galloway,  
Green,  
Ingersoll,  
Jones,  
Lacy,  
Lane,  
Monroe,

Mr. Mulholland,  
Near,  
Stout,  
Strickland,  
Tower,  
Wilder,  
Williams,  
Withey,

25

NAYS.

0

The executive session closed.

*Lansing, January 30, 1861.*

Executive session opened at half past eleven o'clock, A. M.  
The President announced the following communication from  
the Governor :

EXECUTIVE OFFICE,  
*Lansing, January 30, 1861.* }

*To the Senate :*

I hereby nominate the several persons hereinafter mentioned,  
to the office of Notary Public for the county to which their  
names are attached respectively.

AUSTIN BLAIR.

For the county of Allegan :

Sylvester L. Morris, Edward J. Harrington, Augustus S. Butler,  
Francis B. Stockbridge, Samuel Weaver, George E. Dunn, Sher-  
man P. Stanley, James D. Henderson.

For the county of Alpena :

Oliver T. B. Williams, William R. Bowman, David Plough,  
Fayette Smith.

For the county of Bay :

William A. Bryce.

For the county of Branch :

Ashel Brown, Ransom Compton, James S. Curtisdale, Amos  
Culver, Henry B. Stillman, Abram Young, Herman M. Loomis,  
Wallace W. Barrett, John Curtis, David S. Williams, John W.  
Turner, Daniel C. Morehouse, Curtis S. Youngs, Louis T. N.  
Wilson, Harvey D. Robinson, Ives G. Miles, Justin Lawyer, E.  
Frank Hazen, Robert T. Mockridge, John L. Hopkins, John B.  
Haviland, David Anderson, Jesse Bowen, Francis D. Ransom,  
Moses V. Calkins, William T. Ammerman, Asa C. Bowen, Au-  
gustus S. Glessner, David B. Dennis, Alvin T. Lamphere, Nehe-  
miah Lovell, Timothy C. Turner, Lemon G. Hine, John R. Champ-  
ion, George Starr, Herman H. Flandermeyer, John Roberts,  
Adam Bloss, Caleb C. Randall, Hamblet B. Adams, George W.  
Bowker, Benjamin F. Clark, Daniel Wilson, Israel R. Hall,  
Steven Hungerford, Lindley Grifman, Levi Calhoun, George  
Worden, Theron Spring, John Dunlap, Parmeno Cranson, Lu-

cious Williams, William A. Buffam, Melvin Mudge, Edward Webb, Thomas Goodrich, David M. Phillips, Philander H. Sprague, George Lafuer, William Anderson, James Westerby, Edward Boughton, Andrew Shaw.

For the county of Calhoun:

Preston Mitchell, Levi Mosher, Charles T. Gorham, John T. Ellis, Silas W. Dodge, Jonas B. Conklin, Elias Hewitt, George Woodruff, James B. Greenough, Seth Lewis, William Powell, Isaac W. Wilder, Martin D. Strong, George S. Wright, John C. Fitzgerald, Charles F. Dickey, Leonidas D. Dibble, Tolman W. Hall, William T. Neal, Cornelius Byington, Elias C. Manchester, Nelson Sherman, Moses B. Russel, William G. Saunders.

For the county of Cass:

Albert M. Eastman, Perez A. Lee, Randolph Riefner, Daniel M. Howell, Uzziel Putnam, jr., Henry B. Denman, James Sullivan, Chauncey G. Lee.

For the county of Clinton:

George W. Estes.

For the county of Eaton:

Launcelot H. Ion, Joseph Gridley, Phineas Spalding, Caleb A. Robinson, Edwin N. Ely, Albin G. Wright, Oscar W. Barden.

For the county of Genesee:

Edward C. Turner, Charles P. Avery, Watson Richards, Oscar Adams, Washington O'Donoghue, William Moon, George Kipp, Ezra B. Sparks, Seth C. Sadler, Benjamin F. Fry, James L. Topping, Levi Walker, Austin B. Whitherbee, Ansley S. Avins, Kendall L. Tracy, Gilbert E. Waters, Caleb W. Howe, Warner Lake, Joseph Woodhouse, William B. McCreery, Henry Seymour, Clarence L. Ancry, John H. Plum, DeWitt Parker, Sumner Howard, Alexander P. Davis, George F. Hood, George W. Thayer, Ephraim S. Williams, Elisha Kinsman, Chauncey Wisner, Byron E. Warren, William Hulburt, William B. Albro, James Bradley, Thomas Dayton, Elias Rockafellow, Harmanus B. Fall, Jesse Eeles, Castle Sutherland, Humphrey H. H. C. Smith, William Clark, William L. Lyon, Joseph A. Hough, Nelson Van Tuyle, George B. Ranyon.

**For the county of Grand Traverse:**

Charles H. Holden, George N. Smith, Abraham S. Wadsworth.

**For the county of Gratiot:**

John A. Crispel, Hiram Burgess, James M. Luther, Ralph Ely.

**For the county of Hillsdale:**

Lorenzo P. Reynolds, James S. Hastings, Haynes B. Tucker, Duane W. Pratt, Richard Nimocks, John Thomas, James H. Thorn, Nelson W. Thompson, Henry F. Kellogg, Robert Hill, Richard W. Drinker, John Manross, John C. Miller, Henry J. King.

**For the county of Houghton:**

Stephen Walsh.

**For the county of Ingham:**

Ansel R. L. Covert, Edward L. Drake, Joseph S. Piersons, Hiram B. Fuller, Peter Linderman, Lemuel Woodhouse, John W. Phelps, Robert Hayward, Edy Baker, Price B. Welch, Griffin Paddock, Moses P. Crowell, Zacheus Barnes, Ferris S. Fitch, Elijah Paddy, George I. Parsons, William Benton, William L. Strong, John J. Whitman, Rodney R. Gibson, Lucien Reed, Erastus Peck, Alonzo Hill, James Sullivan, Truman Spencer, Havey Hodskiss, James P. Baker, John A. Kerr, George F. Strong, Ezra Jones, Emil Anneke, Sylvanus R. Wilcox, Chester E. Clapp, Ayers V. Dearin, William Huntington Smith, Joseph Mills, Benjamin Haxton, Laurens Baldwin Petter, David M. Bagley, John A. Crossman, James W. Holmes, Asa C. Winter.

**For the county of Ionia:**

William W. Bogue, Wilson Homer, Albert F. Morehouse, Henry Seymour, William Speers, John H. Bander, Seneca S. Larcy, Albert Williams, Daniel F. Hunter, Wilbur Fisher, William Wilson, William Crossett.

**For the county of Isabella:**

William H. Nelson.

**For the county of Jackson:**

Fairchild Farrand, Luther R. Cook, Charles A. Herrick, Sidney T. Smith, Isaac N. Herrick, William Winegar, Charles W.

Crafts, Robert Davis, Ranson C. Robinson, William R. DeLand, Friend D. Maxon, Freeman C. Watkins, Alexander McCall, Luther H. Ludlow, George M. Crittenden, James J. DeLand, Ebenezer Knapp, John S. Trumbull, Josiah C. Wade, Milton J. Draper.

For the county of Kalamazoo:

John Sleeper, Egbert M. Champlin, Horace M. Peck, Paul R. Baldy, Charles W. Jones, Frederick W. Hatch, Ashman A. Knapen, Russell Bishop, Julius C. Burrows, Samuel Wells, Edwin Lynch, Luther H. Trask, Elmer N. Peck, Israel Leighton, John Den Bleyker, Frederick A. Booher, David H. Daniels, Seth Pratt, E. Lakin Brown, Moses Hodgman, Orrin N. Giddings.

For the county of Kent:

Sylvanus E. Hull, Henry E. Thompson, Thomas Daniels, John N. McNiel, Abram C. Vandenburg, John L. Baxter, Charles A. Blake, James S. Crosly, Orvine Peck, Alpheus G. Smith, Charles Lyon, David M. Skidmore, Jesse M. Horton, James D. Lyon, George A. Wilkinson, Richard L. Wells, Charles I. Church, Silas A. Yerkes, William A. Robinson, Moses Swartwout, Henry G. Saunders, Henry M. Hinsdale, George W. Remington, Edward H. Hunt, Demas Hine, Chauncey Morse, William Ashley, Jr., Benjamin F. Porter, Alphonso E. Gordon, Byron D. Ball, Henry F. Williams, Charles L. Moody, Rodney C. Sessions, John Fredric Baas, William R. Davis, Calvin H. Chase, Evert M. Doubleday, John W. Champlin, John Ball, John H. Withey, Benjamin A. Harlan, Heman Palmerlee, Harvey Wright, Sarell Wood, Leonidas S. Scranton, George G. Steketee, William J. Welles, Henry A. Buck, Albert H. Hovey, John J. Hall, George Gray, Charles W. Eaton, Peter R. L. Pierce, Solomon O. Kingsbury, Charles Kelley, William N. Robinson, Joseph M. Cummings, Jonathan F. Chubb, John T. Miller, E. Gregg D. Holden, Lewis C. Morrison, Leonard Bement, William Hicks, Albert Clute, Edwin L. Rhodes.

For the county of Lenawee:

Hiram Gove, John Barber, Henry Chandler, Lucien B. Bowes, Henry M. Redfield, Burton Kent, Thomas H. Mosher, William



Richards, James S. Hunt, Richard McFarlane, Charles H. Baldwin, Benjamin L. Baxter, James P. Cowley, Fitch Reed, Thomas S. Baker, Sylvanus Kinney, Charles Brown, Robert Queal, Charles H. Dewey, John J. Beck, Martin P. Stockwell, William H. Johnson, Newman Perkins, Jabez J. Daniels, Morton Eddy, William A. Whitney, George Kingsley, Hamilton W. Grenell, Oramus Lamb, Edwin Cobb, Edwin P. Graham, Stephen A. Eaton, Lorenzo Tabor, James J. Hogaboom, Elihu L. Clark, Norman B. Sames, Orson Green.

For the county of Livingston:

Benjamin T. O. Clark, William J. McHench, Alexander Carpenter, Furman G. Rose.

For the county of Midland:

Nathan T. Carr, Edwin P. Jennings.

For the county of Montcalm:

Harvey Allen, William Castle, Edwin F. French.

For the county of Oakland:

Albert G. Robinson, Milan Perry, William A. Avins, David McKnight, Robert Gardner, Sebriney Voorheis, Alfred R. Barrette, Mark Walter, George S. Lee, William H. Stout, Martin M. Toms, John L. Andrews, Moody R. Fletcher, Philo W. Wheaton, Samuel T. Bryan, Jr., George D. Humphry, Charles V. Babcock, John Waters, Horatio N. Smith, Joseph A. Rowley, James S. Dewey.

For the county of Saginaw:

William Moll, John A. Sanborn, Daniel L. C. Eaton, William Sanderson, Nelson A. Babcock, Henry Gibson, William M. Miller, Edward C. Newell, John Moore, Jas. C. Goodale, Augustine S. Gaylord, Reuben W. Andrus, John Gallagher, William H. Lacy, John F. Driggs, Heman B. Ferris, Milo Blair, Richard Khuen.

For the county of Shiawassee:

Cyrus F. Jackson, Winfield S. Ament, John B. Barnes, Austin Griffes, Benton Hanchett, Anson B. Chipman, George L. Hitchcock, Ezra L. Mason, Andrew J. Patterson, John Rice, Gilbert R. Lyon, Henry A. Crane, Elias Comstock, Eli D. Gregory,

Alpheus M. Beebe, Jerome W. Turner, Jay L. Quackenbush, George Wilcox, George K. Newcombe, Allen Beard, Harvey G. Smith, Major King, Henry H. Lytle, Theodore Barnum, John S. Gates, James Steith, Bowman W. Dennis, Charles H. Lemon, Harvey J. Hopkins, James B. Wheeler, Lewis Hart, Mason Phelps, Jonathan P. Gale, Thomas C. Crane, Norman Green, Edward F. H. Kay, William P. Laing, James Garrison, Charles Locke, John L. Simonson, William Parrish, Peter Caruthers, James Litchfield.

For the county of Van Buren:

Thomas B. Irvine, Martin Ruggles, Joseph W. Huston, Daniel Abrams, Legrand R. Anderson, Gilbert D. Johnson, John B. Upton, Samuel Holmes, Ashabel H. Herron, Zenos Case, Asa Heyt.

For the county of Washtenaw:

J. Gilbert Smith, David B. Dodge, David G. Rose, Andrew J. Sawyer, Oliver High, James F. Honey, Alvinza S. Doty, Edward P. Pitkin, Elias Haire, George W. Trumbull, Benjamin Woodward, Joseph Brown, Orville Curtis, Ransom Smith, Charles S. Woodward, Richard Beahan, Charles H. Wallace, John L. Watt, Joseph P. Jewett, Donald McIntyre, Aaron Durand, Benjamin Follett, Stephen M. Webster, Robert W. Hemphill, John H. Burleson, Daniel W. Twickell, John Carpenter, Eben T. Whittlesey.

For the county of Wayne:

John J. Wright, Nathaniel P. Jacobs, Jehn Ward, Henry H. Swinsee, William T. Young, Henry H. Cargill, Jehn S. Van Alstyne, William L. Woodbridge, Roderick F. Farrell, Alanson Sheeley, Cleveland Hunt, William C. Dickenson, Charles Tryon, George Rine Louis Steckel, J. Dempster Horton, Jean Petit Benoit, Jean O'Jenin, John W. Hall, John Brown, John M. Mack, Charles Peltier.

The communication was referred to the committee on executive business.

The executive session closed.

*Lansing, February 1, 1861.*

Executive session opened at eleven o'clock, A. M.

The committee on executive business, submitted the following report:

The committee on executive appointments, to whom was referred the communication of the Governor, dated January 30, 1861, nominating sundry persons for Notaries Public, have had the same under consideration, and beg leave to report the same back to the Senate, and recommend that the Senate do advise and consent to the several nominations therein made, with the exception of Thomas H. Mosher, Charles H. Dewey and Oramus Lamb, of Lenawee county; Furman G. Rose, of Livingston county; and John Carpenter, of Washtenaw county, which names they recommend be laid upon the table.

All of which is respectfully submitted.

JOHN N. INGEROLL, *Chairman.*

The report was accepted, and the recommendations concurred in, by the following vote:

YEAS.

Mr. Adair,	Mr. French,	Mr. Mulholland,
Backus,	Gale,	Near,
Bailey,	Galloway,	Owen,
Baker,	Green,	Stout,
Baldwin,	Hazen,	Strickland,
Briggs,	Ingersoll,	Tower,
Brown,	Lacy,	Webb,
Butterfield,	Lane,	Wilder,
Carpenter,	McDermid,	Williams,
Coulter,	Monroe,	Withey,
DeLand,		

31

NAYS.

0

The executive session closed.

*Lansing, February 2, 1861.*

Executive session opened at 11 o'clock.

The President announced the following communication from the Governor:

EXECUTIVE OFFICE,  
Lansing, February 2, 1861. }

*To the Senate:*

I hereby nominate William L. Seaton to be agent of the State Prison, from and after the fifth day of February, instant, when his present term of office will expire.

AUSTIN BLAIR.

On motion of Mr. Carpenter,

The nomination of William L. Seaton was concurred in by  
by the following vote:

YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,  
Coulter,  
DeLand,

Mr. Gale,  
Green,  
Hazen,  
Ingersoll,  
Lacy,  
Lane,  
McDermid,  
Munroe,  
Mulholland,

Mr. Near,  
Stout,  
Strickland,  
Tower,  
Webb,  
Wilder,  
Williams,  
Withey,

26

NAYS.

0

The executive session then closed.

Lansing, February 5, 1861.

Executive session opened at eleven o'clock.

The President announced the following communication from  
the Governor:

EXECUTIVE OFFICE,  
Lansing, February 5, 1861. }

*To the Senate:*

I hereby nominate George W. Brown to the office of Superintendent of the Saint Mary's Falls Ship Canal, from and after the first day of April next, at which time the term of office of the present incumbent will expire.

I also nominate George W. Lee, to be a member of the Board of Control of the Reform School, his term of office having expired.

I also nominate Sylvester Larned, to be a member of the Board

of Control of the Reform School, for the remainder of the term of Hurlburt B. Shank, who has resigned.

AUSTIN BLAIR.

On motion of Mr. Ingersoll,

The executive session was held with closed doors.

On motion of Mr. Brown,

The Senate advised and consented to the nomination of Geo. W. Brown, as Superintendent of the Saint Mary's Falls Ship Canal, by the following vote:

YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Monroe,	
Backus,	Gale,	Mulholland,	
Bailey,	Galloway,	Near,	
Baldwin,	Green,	Strickland,	
Briggs,	Hazen,	Tower,	
Brown,	Ingersoll,	Webb,	
Butterfield,	Lacy,	Wilder,	
Carpenter,	Lane,	Williams,	
Coulter,	McDermid,	Withey,	27

NAYS.

0

The nomination of Geo. W. Lee, as a member of the Board of Control of the Reform School, was advised and consented to by the following vote:

YEAS.

Mr. Adair,	Mr. Gale,	Mr. Mulholland,	
Backus,	Galloway,	Near,	
Bailey,	Green,	Owen,	
Baldwin,	Hazen,	Strickland,	
Briggs,	Ingersoll,	Tower,	
Brown,	Lacy,	Webb,	
Butterfield,	Lane,	Wilder,	
Carpenter,	McDermid,	Williams,	
Coulter,	Monroe,	Withey,	
DeLand,			28

NAYS.

0

The nomination of Sylvester Larned, as a member of the Board of Control of the Reform School, was advised and consented to by the following vote:

## YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,  
Coulter,  
DeLand,

Mr. Gale,  
Galloway,  
Green,  
Hazen,  
Ingersoll,  
Lacy,  
Lane,  
McDermid,  
Monroe,

Mr. Mulholland,  
Near,  
Owen,  
Strickland,  
Tower,  
Webb,  
Wilder,  
Williams,  
Withey,

23

## NAYS.

0

The President also announced the following:

EXECUTIVE OFFICE,  
Lansing, February 5, 1861. }

*To the Senate :*

I hereby nominate Jesse Eugene Tenney to the office of State Librarian, his term of office having expired.

I also nominate Amos Root to the office of Inspector of the State Prison, his term of office having expired.

I also nominate Alfred G. Bates to the office of Inspector of the State Prison for the remainder of the unexpired term of Luther H. Trask, who was appointed during the recess of the Legislature, which term will expire on the 20th day of February, 1863.

## AUSTIN BLAIR.

The nomination of Jesse Eugene Tenney, as State Librarian, was advised and consented to by the following vote:

## YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,  
Coulter,  
DeLand,

Mr. Gale,  
Galloway,  
Green,  
Hazen,  
Ingersoll,  
Lacy,  
Lane,  
McDermid,  
Monroe,

Mr. Mulholland,  
Near,  
Owen,  
Strickland,  
Tower,  
Webb,  
Wilder,  
Williams,  
Withey,

23

## NAYS.

0

The nomination of Amos Root, as Inspector of the State Prison, was advised and consented to by the following vote:

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Monroe,	
Backus,	Gale,	Mulholland,	
Bailey,	Galloway,	Owen,	
Baldwin,	Green,	Strickland,	
Briggs,	Hazen,	Tower,	
Brown,	Ingersoll,	Webb,	
Butterfield,	Lacy,	Wilder,	
Carpenter,	Lane,	Williams,	
Coulter,	McDermid,	Withey,	27

## NAYS.

0

The nomination of Alfred G. Bates, as Inspector of the State Prison, was advised and consented to, by the following vote:

## YEAS.

Mr. Adair,	Mr. DeLand,	Mr. Monroe,	
Backus,	Gale,	Mulholland,	
Bailey,	Galloway,	Owen,	
Baldwin,	Green,	Strickland,	
Briggs,	Hazen,	Tower,	
Brown,	Ingersoll,	Webb,	
Butterfield,	Lacy,	Wilder,	
Carpenter,	Lane,	Williams,	
Coulter,	McDermid,	Withey,	27

## NAYS.

0

The executive session closed.

*Lansing, February 14, 1861.*

Executive session opened at 11 o'clock.

The President announced the following message from the Governor:

EXECUTIVE OFFICE,  
*Lansing, February 14, 1861.* }

*To the Senate:*

I hereby nominate the several persons hereinafter mentioned to the office of Notary Public, for the county to which their names are attached respectively.

AUSTIN BLAIR.

For the county of Barry:

Sidney P. Pool, George P. Stevens, Melatiah J. Lathrop, Calvin G. Townsend, Henry Mallory, Almond Parrish, George H. Brooks, Winslow W. Ralph, Abner C. Bruin, John Slocum, Leander Lapham, John H. Monroe.

For the county of Bay:

Louis Fuchsins, John S. Judson.

For the county of Berrien:

Joseph S. Bacon, Theodore Clark, Henry H. Coolidge, William W. Leeder, William Aldrich, Ives Wallingford, Charles C. Perry, Inbil H. Wheeler, Morgan Enos, Newton R. Woodruff, William W. Wheeler, Charles R. Brown, Enoch C. Hoyt, Jeremiah E. Chamberlin, James N. Witherell, Edward T. Dickson, Silas Ireland, Monroe G. Carlton, George H. Murdock, Wilson G. Chadwick, Philander W. Webb, William Smytho Farmer, Luther Smith, George Bridgeman, Newton L. Bird, George Peters, George Andrews, Albert G. Abbe, Robert Brethsnecider, Ferdinand Dell, Ezekiel F. Reynolds, Henry O. Pratt, Carter D. Hathaway, Roswell Curtis, Theodoro G. Beaver, John W. Paine, John W. Rawlins, William S. Pierce, John M. Albert, William B. Parrott, Benjamin F. Fish, Benjamin F. Pennell, Edward G. Houghland, Levi Sparks, William S. Merrill, John Bunker, Daniel Chapman, Orlando B. Dickenson, William Chamberlin, Thornton Ewan, Richard L. Phillips, Hale E. Crosby, John C. Miller, Emory Smead, Bradley M. Pennell, Thomas Love, Foster L. Parks, Dewis V. Baker, Thomas T. Glenn, Frederick O. Rogers.

For the county of Branch:

Elwin Perry, Hiram B. Robinson, John Whitcomb, Jonathan H. Gray, David Fowler, Marcus L. Anderson, George W. Mount, James B. Crippen, Cornelius Van Ness.

For the county of Calhoun:

James Winters, Jacob Caris, Franklin S. Clark, James A. Polhemus, Jacob Lorchman, William Duryeo, Lowell Hulett, William H. Brockway, Charles T. Parker, George W. McAlister, Aaron Parlin, Allurad C. Clark, Anthony Schoeder, Isaac Bull, Eli L. Stillson, Bradley E. Backus, Robert B. Briggs.



Charles D. Waldo, Charles H. Hodskin, William H. Coleman, William H. Brown, Charles Heine, Simeon S. Ftench.

For the county of Cass:

William P. Bennett, Jesse S. East, Zaccheus Aldrich, Jerebon P. Osborn, Amos Smith, John H. Powers, James H. Stump, Silas Harwood, Charles Carrol Nelson, Ralph L. Morton, Jay Rudd, Edwin W. Reynolds, Henry Michael, Daniel Driskel, William M. Harwood, Obed Waterman, Abram Hutchings, Joseph Harper, Oscar Jones, Joseph Hollister, Adam M. Warren, George Miller, William M. Heazlit.

For the county of Clinton:

William H. Faxon, William A. Hewit, William Sickles, David J. Daniels, William Bronson, Cortland Hill, William Smead, Henry S. Gibbons, Seth P. Marvin, John Q. Patterson, Porter R. Perrin, Henry Post, Samuel L. Bross, Richard R. Carter, Nathaniel J. Daniels, John O. Palmer, Martin V. Brown, Frederick R. Read, Buel W. Boynton, Adam W. Partridge, Moses P. Headly, Isaac V. Swarthout, Benjamin C. Macumber, Orsamus M. Pearl, Silas P. Fish, Thomas Jameson, David Clark, Burtis H. Beers, Moses Bartow, Anthony Cook.

For the county of Eaton:

Benjamin Evans, Eli H. Evans, Hiram T. Fero, Simeon S. Church, Henry P. Blake, Samuel T. Drury.

For the county of Genesee:

Samuel N. Warren, John Algae, Lewis Buckingham, Loren C. Miles, Michael Ayres, William S. Patrick, Levi Hunt, Abner C. Johnson.

For the county of Gratiot:

James Gargett, Joseph A. Gerthrie, Sidney S. Hastings, Bernard Fox.

For the county of Hillsdale:

Martin H. Webb, William L. Ripley.

For the county of Houghton:

George T. Barney.

For the county of Ingham:

James S. Covert, Horace Hobert, George W. Parks, George

H. House, Samuel S. Coryell, George J. Sly, David B. Harrington, Edward O. Kelley, David L. Crossman, Edward F. Bird, Aaron Wessels, Robert W. Harkins.

For the county of Ionia:

William D. Thompson, Matthew Van Vleet, Robert D. Winegar, Elvander W. Dodge, Abill S. Starmard, John H. English, Herman Hunt, Daniel Moore, William Jennings, David C. Crawford, Charles Bean, Joseph H. Rowe, Samuel Young, Cyrus Lovell, John H. Bander, James Kennedy, Warren H. Sherwood.

For the county of Jackson:

William H. Withington, Aaren T. Gorton, Jacob K. Smalley, Reynolds Landon, William G. Brown, Alfred A. Freeman, William Pettingill, Charles F. Hess, Israel Nichliasson, John L. Mitchell, Edward B. Warren, Edward H. Ring, Bela Turner.

For the county of Kalamazoo:

Frank Little, Edwin S. Wicks.

For the county of Kent:

Erwin C. Watkins, Simeon Hunt, Francis King, Charles C. Rood, Israel C. Smith, Abraham W. Pike, Oscar F. Hyde, Lewis J. Bates, John L. Clements, Philander Parmeter, Benton D. Fox, Warren S. Hale.

For the county of Lenawee:

Horace Braddish, Reuben A. Beach, Russel C. Carter, William P. Richards, Milton N. Halsey, C. Milton Beasom, William H. Scott, Enos Canniff, Alonzo Clark, Levi R. Pierson, Jarvis Fleming, Ethan W. Curtis, Walter Robinson, Isaac D. Comstock, John Barber, James Riddle, Lorenzo Palmer, Thomas Bate, Newman Perkins, Samuel Penniman.

For the county of Leelanaw:

Charles H. Holden.

For the county of Livingston:

Edwin Hitchcock, Charles C. Young, Herman Cranston, Ira Knight.

For the county of Macomb:

Ludwick Wesolouski, James Abernathy, Arnold Harwood, James Lawson, Isaac C. Cross, George Bewlam, Charles W.

Weston, George Morehouse, George W. Corey, William Stevens, William W. Andrews, Chauncey W. Whittlesey, Payne K. Leech, Hiram Sherman, Willard A. Wales, Anson C. Tower, Esquire W. Aldrich, Joseph Chubb, Martin V. Bentley, Joshua B. Dickenson, Charles B. Standish, Thomas L. Sackett, Frederick S. Crisman, James F. Buffum, Calvin Davis, Albert D. Pierce, Rufus C. Hathaway, Morton L. Miller, William A. Lewis, George W. French, Edward C. Gallup, Edgar Weeks, John J. Traver, Austin C. Hewitt, Chester L. Dudley, Robert Thompson, Prescott B. Thurston, Cyrus B. Simmons, Oscar S. Burgess.

For the county of Manisteb:

Jonathan G. Ramsdell.

For the county of Marquette:

Amos R. Hadow.

For the county of Midland:

David Lloyd, Thomas K. Townsend, Daniel M. R. Wilson, Samuel D. Gaskill, George Turner.

For the county of Monroe:

Titus Babcock, John M. Oliver, John S. Babcock, William P. Gale, Solomon C. Goodale, Arvin W. Potter, Hiram Wakely, Benjamin Riesdoff, Royal L. Potter, John J. Littlefield.

For the county of Montcalm:

Charles I. Church.

For the county of Newaygo:

Amasa B. Watson, Wellington Persons, George Utley.

For the county of Oakland:

William B. Jackson, Samuel T. Beach, William L. Vallou, Anthony J. Swayzee, Derricks J. Wright, Richard F. Wells, John W. Anderson, John Axford, Guy W. Selden, Edward Bartlett.

For the county of Ontonagon:

William D. Williams, George C. Jones, Daniel Pittman.

For the county of Ottawa:

Robbertus M. de Bruyn, Rodney D. Leggett, Lyman S. Smith, Albert Stegeman, Henry D. Post.

For the county of Saginaw:

Andrew V. T. Day, Patrick Glynn, William H. Swelt, Smith Palmer, John Leek, Charles H. Richman, James F. Brown, William F. Glasby, Z. Washington Wright.

For the county of Sanilac:

Henry Oldfield, Joseph Yakes, Robert Brown.

For the county of Shiawassee:

Gilbert G. Doané, Orrin Blanchard, Pliny S. Lyman, Henry Wallace, Arthur Garrison, Frederick Schlieper, John Hathaway, Joseph Fowler.

For the county of St. Clair:

Guy C. Sampson, David Beard, Alexander H. Burton, George W. Pack, Charles H. Church, Benson Bartlett, Bethuel C. Farland, Frederick H. Blood, J. Byron Hull, William M. Leonardson, William Grace, Oliver C. Leonardson, William Gowan, Edmund C. Ewell, Valentine A. Saphe, Herman Herzog, Andrew J. Cummings, Hiram P. Vrooman, Alvah S. Lamont, George H. Potter, Francis M. Vanderburgh, Anson S. Welch, Frederick L. Wells, Alden E. Morse, Omar D. Conger, Frank Morse, Frederick H. Vanderburgh.

For the county of St. Joseph:

Hiram Brown, Henry F. Severns.

For the county of Tuscola:

John Johnson, William Waldo, Hamilton Hobert, James C. Santee, James M. Watrous, Christian Shadley, William Rogers, Samuel P. Sherman, LaFayette Wilder, Inman J. B. McKinney, David M. Black, Byron G. Graves, Robert McFarland.

For the county of Van Buren:

Paul H. Varney, Theodore E. Hendrick, Jonathan L. Phillips, William Henry Hurlbut, Emory O. Briggs, Aaron Smith Dychman, Stephen W. Duncombe.

For the county of Wastenaw:

Thomas M. Cooley, James E. Dennis, John I. Thompson, Emanuel Mann.

For the county of Wayne:

William B. Knapp, William Walker, Sylvanus Backus, Douglas Payne, John C. Williams, George H. Burroughs, John B.

Schoermann, Ephraim A. Shaw, George W. Burchell, George F. Bagley, Patrick McGinnis, William S. P. Wheeler, James A. Gerardin, William E. Cheever, Elijah Goodell, Richard Peter, William W. Backus, Melzar F. Merrick, Levi E. Dolsen, Lyman G. Wilcox, Wellington Willets, Wesley A. Green, Robert C. Wright, Levi T. Griffin, Morgan H. Smith, Sears Stevens, William H. Bronson, Thomas W. Palmer, Henry Barns, Ebenezer Anderson, George Jerome, George H. Nesbitt, Paul Gies, Anthony Dudgeon, Patrick M. Phillips, Ferdinand A. Ashley, Theodore P. Robinson, Julius Crane, Edgar A. Towar, John M. Alford, Francis W. Noble, George W. Wolverton, James K. McConnell, James Fenton, Francis B. Way.

The message was referred to the committee on executive business.

The executive session then closed.

—  
*Lansing, February 16, 1861.*

Executive session opened at 11½ o'clock.

The committee on executive business made the following report:

The committee on executive appointments, to whom was referred the communication of the Governor, dated February 14, 1861, nominating sundry persons for Notary Public, have had the same under consideration, and have instructed me as their chairman to report the same back to the Senate, with a recommendation that the Senate do advise and consent to the several nominations therein named.

JOHN N. INGERSOLL, *Chairman.*

The report was accepted and the committee discharged.

The Senate advised and consented to the nominations, by the following vote:

YEAS.

Mr. Backus,	Mr. Gale,	Mr. Mulholland,
Baker,	Galloway,	Near,
Baldwin,	Green,	Stout,
Briggs,	Ingersoll,	Strickland,

Brown,  
Butterfield,  
Carpenter,  
Coulter,  
DeLand,  
French,

Jones,  
Lacy,  
Lane,  
McDermid,  
Monroe,

Tower,  
Webb,  
Wilder,  
Williams,  
Withey,

23

NAYS.

0

The executive session then closed.

*Lansing, February 26, 1861.*

Executive session opened at 11 o'clock.

The President announced the following communication from the Governor :

EXECUTIVE OFFICE,  
*Lansing, February 26, 1861.* }

*To the Senate :*

I hereby nominate Luther H. Trask and Daniel L. Pratt, each to the office of Trustee of the Michigan Asylum for the Insane, for the full term of six years.

I also nominate Zina Pitcher to the same office for the term of four years, and Erastus Hussey for the term of two years.

I also nominate Benjamin Pierson to the office of Trustee of the Michigan Asylum for the deaf, dumb, and blind, his present term of office having expired.

AUSTIN BLAIR.

On motion of Mr. Baldwin,

The Senate advised and concurred in the several nominations, by the following vote:

YEAS.

Mr. Backus,  
Bailey,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,  
Coulter,

Mr. DeLand,  
French,  
Galloway,  
Green,  
Jones,  
Lacy,  
Lane,  
McDermid,  
Monroe,

Mr. Mulholland,  
Near,  
Owen,  
Stout,  
Tower,  
Webb,  
Wilder,  
Williams,  
Withey,

27

NAYS

0

The Executive session then closed.

*Lansing, March 8, 1861.*

Executive session opened at 11 o'clock.

The President announced the following communication from the Governor:

EXECUTIVE OFFICE,  
*Lansing, March 8, 1861.* }

*To the Senate:*

I hereby nominate James I. Mead to be a member of the Board of Control of the Reform School, to fill the vacancy created by the resignation of James Turner.

I also nominate to the office of Commissioner of the Board of Control of certain grants of land made to this State by the General Government for the construction of certain railroads, Charles Tripp, Wilder D. Foster, Hovey K. Clarke, Perley Bills, Omar D. Conger and Horace M. Peck.

AUSTIN BLAIR.

On motion of Mr. Brown,

The several nominations were concurred in, by the following vote :

YEAS.

Mr. Adair,	Mr. Gale,	Mr. Mulholland,	
Backus,	Galloway,	Near,	
Baker,	Green,	Owen,	
Baldwin,	Hazen,	Stout,	
Briggs,	Ingersoll,	Strickland,	
Brown,	Jones,	Tower,	
Butterfield,	Lacy,	Webb,	
Carpenter,	Lane,	Wilder,	
Coulter,	McDermid,	Williams,	
DeLand,	Monroe,	Withey,	
French,			31

NAYS

0

The executive session closed.

*Lansing, March 18, 1861.*

The executive session opened at 11 o'clock.

The President announced the following communication from the Governor:

EXECUTIVE OFFICE,  
Lansing, March 13, 1861. }

*To the Senate :*

I hereby nominate the several persons hereinafter mentioned to the office of Notary Public, for the counties to which their names are attached respectively.

AUSTIN BLAIR.

For the county of Allegan:

Hannibal Hart, Duncan A. McMartin, Walter Billings, Elisha Mix, William S. Hooker, Thomas Shepherd, Edgar H. Wait, William Kent, James A. Sterling, Benjamin H. Fuller, Asa W. Blackmond, Albert J. Lanckton, Noah Briggs, James M. Baldwin, Francis Ingles, Levi M. Comstock, Daniel J. Arnold, Benjamin Chadbourn, Samuel M. Hubbard, Byron Ballore, George Anderson, Daniel D. McMartin.

For the county of Bay:

Mark D. Bourassa, Samuel Rowden.

For the county of Barry:

James W. Bentley, John L. Williams, Calvin G. Hill, Abram A. Mead, William W. Paull, Luther Parrish, Henry P. Cherry William Bovie.

For the county of Berrien:

Robert B. King, Henry Chamberlin.

For the county of Branch:

James W. Gilbert, Hiram D. Upham, Ezra Berry, Abijah Mosher, Abel Coon.

For the county of Calhoun:

Parley P. Wood, Prentiss S. Hewitt, John M. Peabody, Laroy L. Lewis, Richard G. Hull, Thomas G. Pray, Lewis Wilmarth.

For the county of Cass:

James Boyd, Chauncey Kennedy, John A. Reynolds, Simon G. Sanger, Edward Curtis.

For the county of Cheboygan:

John H. Ferrelle, William M. Belote, John S. Riggs, Paul Averill.

For the county of Clinton:



Henry S. Hilton, DeWitt C. Chapin, Warren H. Stone.

For the county of Delta:

Thomas Ashton.

For the county of Eaton:

John J. Chappel, Theodorus D. Green, Edward M. Kingsbury, Adonijah H. Proctor, Charles W. Starr, Louis O. Smith, Henry Austin, Nelson Ables, John W. Nichols, Henry Hess, Charles E. Merritt, Zenas Cook, James Gallery, Robert Nixon, Alexander Ingersoll, Calvin I. Covey, Edmund B. Lewis, Daniel R. Carpenter, Smith W. Fowler, Horace K. Barlow, Sylvester Higgins, William U. Benedict, Henry Gardenier, Fitz L. Reed, Edward S. Lacey, Rossel B. Hughes.

For the county of Emmett:

John S. Dixon, Henry G. Graverat, Jr.

For the county of Genesee:

John J. Phillips, Alexander R. Bray, George L. Reed, Ira S. Begel, Robert P. Aitkin, Asa H. Withee, Edwin C. Paine, George Reed, Nahum N. Wilson, Elbert Crofoot, Jr., Thomas C. Carr, Lyman G. Buckingham, Anson W. Withee, Frederick Walker, Ebenezer Bishop, David Richards, Stephen Matthews, James H. Murray, Eurotus W. Barnes.

For the county of Gratiot:

Wellington R. Burt, James Gargett.

For the county of Grand Traverse:

Edwin J. Brooks, Lewis M. Steele, Samuel A. McClelland, Lorenzo D. Quackenbush.

For the county of Hillsdale:

Daniel C. Crane, Cephas P. Dresser, Ebenezer O. Grovesnor, Henry M. Newcombe, John S. B. Weathenoax, Charles M. Wisner, Luther L. Tucker, Douglas N. Dilla, William Austin Caulkins, S. Barent Vrooman, Nathan J. Richards, James A. Galloway, Stephen M. Frisbie, Eason T. Chester, Henry E. Whipple.

For the county of Houghton:

James H. Hubbell.

For the county of Huron:

Peter L. Rogers, Frederick Shilling, Robert W. Irvin, Wesley Armstong, Richard Winsor.

For the county of Ingham:

Shubael R. Green, Asher D. Spaulding, James M. Williams, James P. Reed, Solomon D. Newbro, Mason D. Chatterton, Lorenzo D. Lighthall, Isaac M. D. Benham, Lauren K. Hewett, Ebenezer Walker, Henry B. Arms, Homer L. Thayer, Ellis E. Beebe, Franklin L. Parker, Thomas Treat, Moses P. Crowell, Charles C. Holbrook, Charles F. Mullet, Elliot H. Angel, Thomas Humphrey, Griffin Paddock, Josephus Woodhull, Edward B. Sackrider, George Dell, Arnold Walker, Daniel W. Van Auker, Davis Fitzsimmons, J. Eugene Tenney, William Brown, Darius C. Calkins, Stephen S. Gidney, Benjamin F. Simons, Austin A. Kirby, William M. Green, William G. Ihrig, Lucius Wilson, Charles H. Thompson, Hiram Dana, Whitmore Beardale, Washington Wiley, James G. Stafford, Eugene P. Newbro.

For the county of Ionia:

Walter D. Arnold, Asaph Mather, Alansen B. Clark.

For the county of Isabella:

Henry Jackson.

For the county of Jackson:

Lorenzo D. Hale, Ephraim A. Barrett, Daniel T. Russell, Silas F. Haddock, Henry H. Bingham, William Barnes.

For the county of Kalamazoo:

George Thomas Clark, Albin B. Barnes, Preston Taylor, Lewis Crane, Augustus R. Scott, Hiram Cook, George C. M. White, Joshua F. Alley, Charles H. Booth, Samuel Carson, Horace B. Peck, Aretus H. Gould, Silas Hubbard, George Torrey.

For the county of Kent:

Jacob Snell, David S. Leavitt, Milton C. Watkins, Ezra T. Nelson, J. Ely Chapin, Osmond Reed, John R. Stewart, James W. Ransom.

For the county of Lapeer:

William H. McEntee, Arvin Barber, William Colerick, Leonard Brownell, Amos Stone, Lyman Russell, Sands Van Wagoner, Ephraim Watkins, Daniel Bacon, John Clark, Edward Fortune,

Reuben Gould, David Mills, John Abbott, Dennis Griggs, Gardiner Dexter, J. Haines Emory, Nathan Bazie, William C. Brown, Alvin McMaster, John P. Smith, Jeremiah Teller, William O. Smith, Oliver P. Strowbridge, Leander Levalley, Samuel Rogers, John B. Sutton, John B. Hough, Robert Conklin, Daniel Black, Mark Farley, Charles Deo, Frank Keeler, Charles Ballard, John M. Lamb, James More.

For the county of Lenawee:

James Berry, Frederick G. Beazle, Samuel Taggart, Edwin B. Wood, Cornelius Shandley, Richard H. Whiting, Hiram S. Eddy, Francis Young, George E. Pomeroy, Daniel Fisk, Josiah Ward, Peter T. Southworth, Richard B. Robbins, James McDuff, Joseph Howell, Charles H. Dewey, Daniel H. Clark, Ephraim D. Kidder, Fleming McMath, Porter T. Southworth, John T. Perkins, Herman R. Goodrich, James H. Parker, Joseph Patterson, Elisha S. Holeman, Cyrus Cole, Darius E. Comstock, Albert Hyde, Gideon F. Clark, John W. Kinney, Gideon D. Perry, John Davenport, Charles F. Avery, Fitch Dewey, Perry Shumway, Benjamin E. Parker.

For the county of Leelanaw:

Charles H. Holden:

For the county of Livingston:

Samuel G. Ives, John G. Spencer, Van R. Durfee, William McPherson, Jr., William A. Hall.

For the county of Macomb:

John Wright.

For the county of Manistee:

James F. McGinley, Jacob E. Siebert, Holden S. Green.

For the county of Manitou:

James T. Bailey, James Martin, David D. Lobdil, James Moore.

For the county of Marquette:

Matthew Maynard, Amos R. Harlow.

For the county of Mason:

Thomas J. Wood.

For the county of Monroe:

Frank Ralieggh, Ephraim Baldwin, Samuel M. Bartlett, William E. Burton, John W. Van Deventer, Edward G. Morton, Henry Hoyle, Lewis Trumbley, Caleb Sumner, Joseph C. Cole, Tolcott E. Wing, Ansel C. Lambert.

For the county of Montcalm:

Erastus Fisher, Ebenezer R. Ellenwood, John Bower, Joseph M. Fuller, Daniel A. Cornell, Henry M. Calkins.

For the county of Muskegon:

Henry H. Holt, Jesse D. Pullman, Moody Farman, George Bradford, Israel E. Carleton, Edwin Potter, Thomas J. Rand, Henry J. Pemberton, Noah Ferry.

For the county of Newaygo:

Frederick Day.

For the county of Oakland:

John C. Emory, William B. Jackson, Alfred Brawford, Squire W. Rowe, Ira Smith, Josephus Smith, Roderich A. Bryan, Alanson Hemingway, Thomas C. Boughton, George Hopkinson, Elisha F. Dart, Erastus Bacon, Samuel T. Bryan, sen., John W. Vanheuwen, Daniel T. Pierce, Andrew Cone, Moses Case, Franklin Baker, Mark N. Speller, Benjamin Dutton, Lemuel P. Town, Charles Sherman, Ogden S. Axford, William Smith, Townsend C. Beardslee, Clark Beardslee, William S. Albertson, John G. Crombie, James A. Jacokes, Erastmus E. Sherwood, Joseph G. Farr, Barrett Draper, Abram Allen, Jefferson K. Tiudell.

For the county of Ontonagon:

Henry Selby.

For the county of Ottawa:

George Parks, Lorenzo Chubb, Elias G. Young, Jacob Benherder, Stephen L. Lowring, George V. Conrad.

For the county of Oceana:

Hiram E. Russell, Henry H. Fuller, Myrtle B. High, Edwin R. Cobb, Malcomb Campbell, Jason Carpenter, Elnathan J. Reed, Barton Haggerty, Edgar D. Richmond, William Weston, Estes Rich.

For the county of Saginaw:

George Schmidt, Samuel C. Munson, John H. Springer, Dexter

**F. Mitchell, Hiram C Driggs, John Jacob Schoen, Humphrey Shaw, Dexter Parke, Charles K. Robinson, Charles Ten Eyck, Michael C. T. Plessner, Oliver P. Burt, Otto Roesner.**

**For the county of Shiawassee:**

**Andrew Huggins, George W. Goodell, John Davis, William Tildon, John B. Van Doren, Frank M. Waldron, Hugh McCurdy.**

**For the county of St. Clair:**

**Francis Power, Israel D. Carleton, David Lester, William Kelly, Hazzard P. Wanda, Harmon L. Stephens, Calvin Ames, Thomas F. Hill, Alfred Comstock.**

**For the county of St. Joseph:**

**Eli L. Starr, Joseph Lomax, George W. Force, Levi T. Hull, Hiram Betts, Jonathan G. Waite, William Sadler, Ephraim H. Sheldon.**

**For the county of Tuscola:**

**William Lake, Jr, Ebenezer Battell, David G. Slafter, Leander D. Key, John H. Sutherland.**

**For the county of Van Buren:**

**Jesse Earle, Washington Gibson.**

**For the county of Washtenaw:**

**Stephen W. Griffin, John D. Parkhurst, Thomas Gray, Andrew Robinson, Jacob Preston, Isaac Magoon, Samuel Barnard, Ransom Salsbury, William B. Dean, Richard D. Depuy, Hamilton J. Dennis, Richard J. Stuck, Levi H. Haynes, Calvin H. Stone, Christopher Howard, Jacob A. Polhemus, Stephen G. Johnson, William Osius, Robert P. Leonard, Franklin L. Stebbins, John S. Henderson, George C. Armes, Joseph L. Brown, Phillip Winegar, William F. Hatch, David Wilsey, James B. Alexander, Ralph Whiting, Edwin L. Aiken, Samuel G. Sutherland, Jonathan R. Bowers, Isaac N. Conklin, George Lawton, Ezra W. Whitmore, William F. Breaky, Russell Whipple, Orson W. Peck, Hiram J. Beakes, Frank W. Whittlesey.**

**For the county of Wayne:**

**John D. Catharine, Peter K. Morris, Julius Stoll, Joseph Dixon, Patrick McLogan, Isaac V. Austin, Jared Stevens, Theodore**

F. Ray, David R. Pierce, John Van Stan, Patrick Fitzsimons, John Gore, Henry H. Finley, James M. Rosse, Newell Grace, Frank H. Canfield, Thomas Cranger, jr., James D. Wier, Jeremiah Fisher, William V. Griffith, Corydon C. Randall, Herbert Adams, Jonathan Hudson, F. Herrmann Schaale, George Parsons, George B. Truax, Peter Dixon, David Walker, Charles Atwood, Hugh O'Beirne, Ezra Rood, John M. Swift, George Andrews, Henry Colton, Oliver M. Hyde, Aaron B. Maynard, Alanson Sheeley, John S. Cuthbert, John C. Pearce, Robert Maginnitry, Arnold Kaichen, William Long, Elihu Ashley, Emory Wendell.

The communication was referred to the committee on Executive business.

The executive session closed.

*Lansing, March 14, 1861.*

Executive session opened at 11 o'clock.

The Executive committee made the following report:

The committee on Executive appointments, to whom was referred the communication of the Governor, dated March 13th 1861, nominating sundry persons for Notaries Public, have had the same under consideration, and have instructed me as the chairman to report the same back to the Senate, with a recommendation that the Senate do advise and consent to the several nominations therein made.

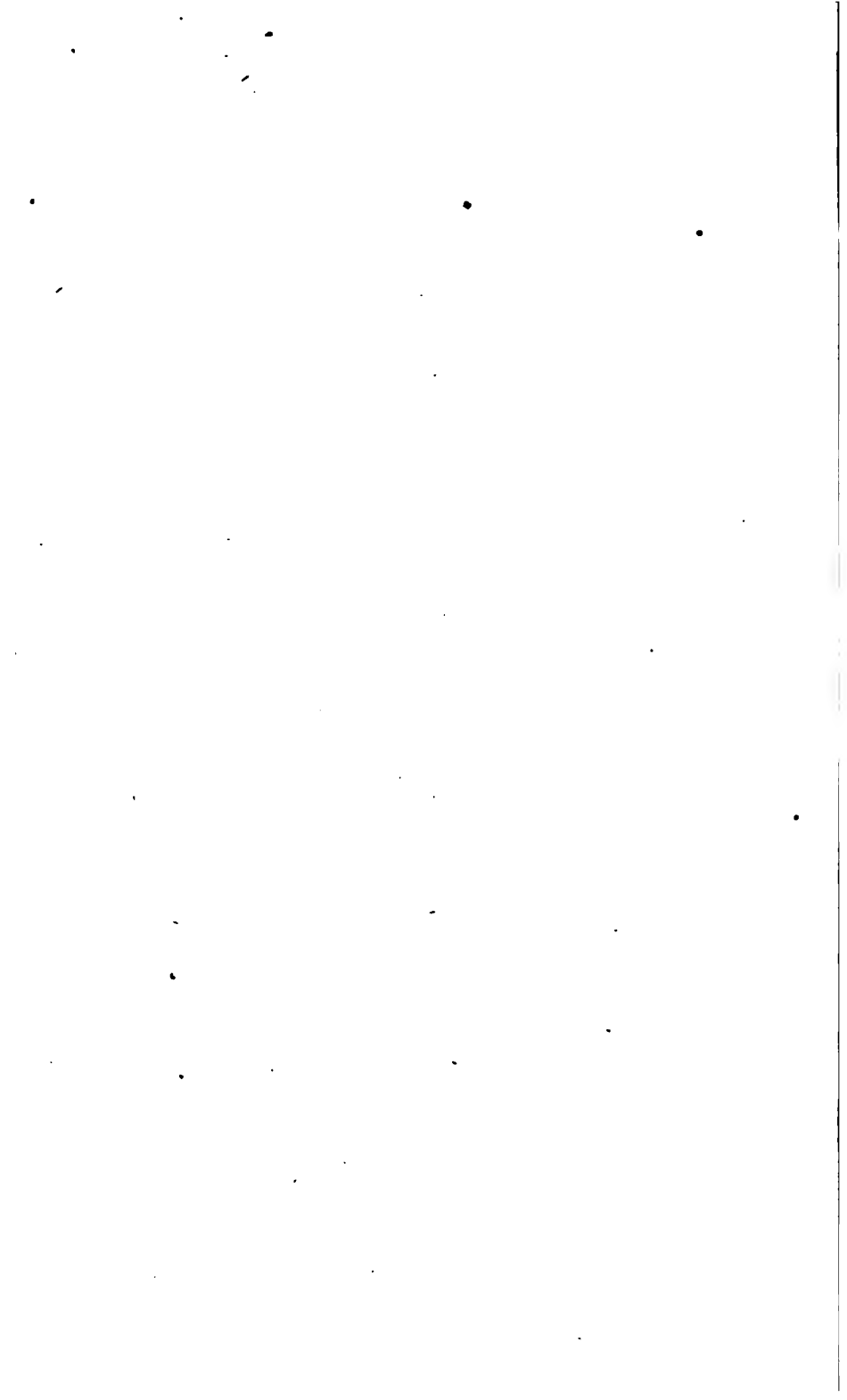
JOHN N. INGERSOLL, *Chairman*.

The report was accepted, and the nominations were advised and consented to by the following vote:

YEAS.

Mr. Adair,	Mr. French,	Mr. Mulholland,
Backus,	Gale,	Near,
Bailey,	Galloway,	Owen,
Baker,	Green,	Stout,
Baldwin,	Hazen,	Strickland,
Briggs,	Ingersoll,	Tower,
Butterfield,	Jones,	Wilder,

**EXECUTIVE JOURNAL.****1179****Carpenter,  
Coulter,  
DeLand,****Lacy,  
McDermid,  
Monroe,  
NAYS.****Williams,  
Withey,****29****0****The executive session closed.**





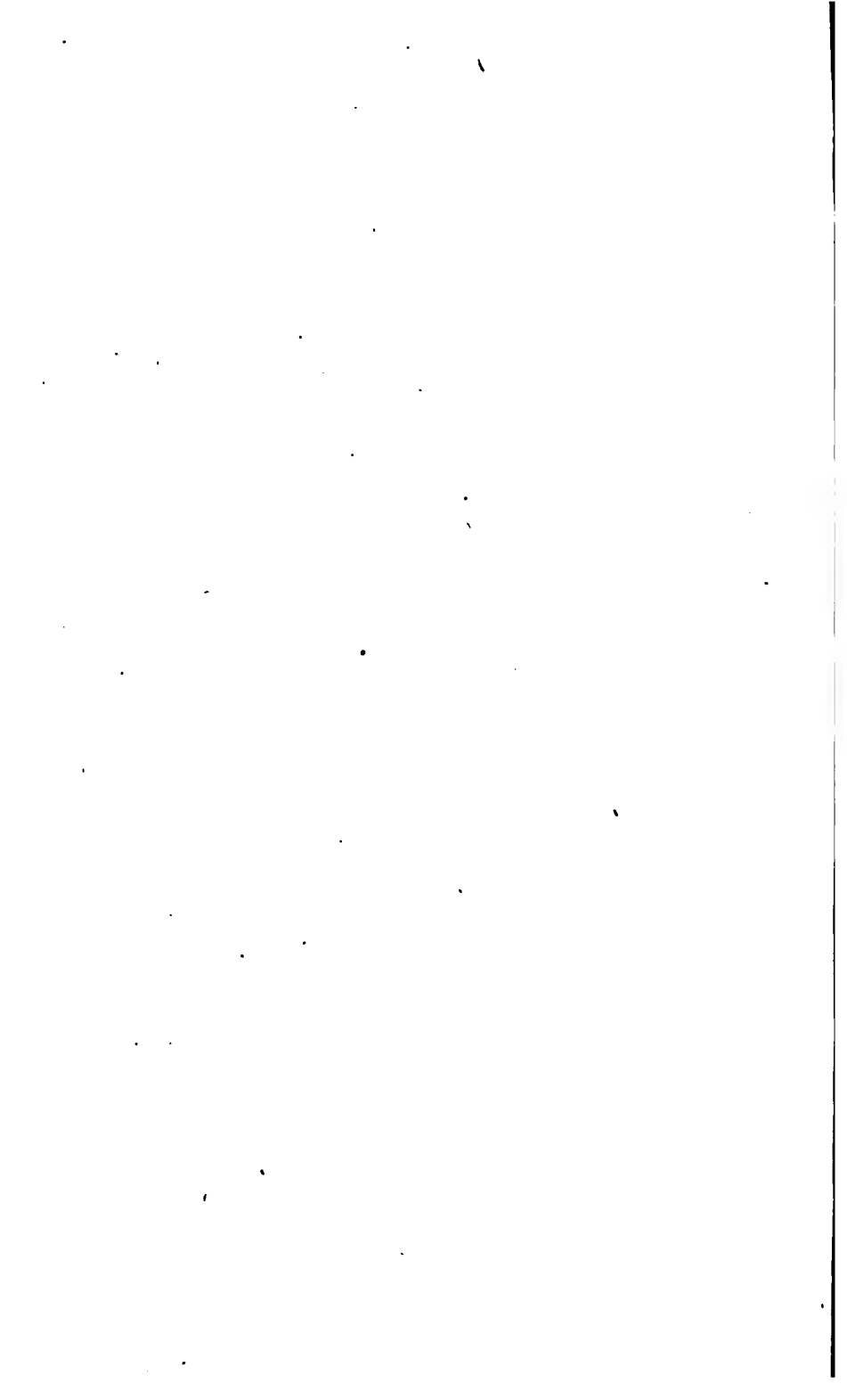
---

---

# INDEX.

---

---



# INDEX

TO THE

## SENATE JOURNAL.

---

### BILLS ORIGINATING IN THE SENATE—ACTION OF THE SENATE THEREON.

- To amend section 1399 of the compiled laws, 10.
- To change the name of Clarissa Melissa Wing to Clara Barnes, 10, 28, 30, 32, 112, 121, 336, 366, 460.
- To amend an act entitled an act to provide for the construction of train railways, 10, 27, 44, 59, 66, 72, 82, 225, 246, 278, 288, 390.
- To amend an act entitled an act to provide for the incorporation of railroad companies, 10, 14, 27, 49, 58, 66, 77, 114, 121, 353, 392, 460, 1022, 1129, 1136.
- To amend an act entitled an act relative to plank roads, 10, 27, 44, 59, 66, 77, 81, 807, 809, 1074, 1128, 1134.
- To amend section 2023 of the compiled laws, relative to gifts and bequests to religious societies, 10, 27, 142, 178, 206, 843, 1050, 1083.
- To amend sections 7, 13 and 21, chapter 12, of revised statutes, being sections 154, 160 and 173, of the compiled laws, relative to the bonds of the State Treasurer, 15, 27, 54, 139, 145, 334, 367, 460.
- To amend an act entitled an act to amend an act to revise the charter of the city of Detroit, 15, 204, 210, 300, 399, 415, 501, 515, 670, 926, 1081.
- To repeal act No. 29 of the session laws of 1859, 16, 26, 54, 58, 78, 97, 158.
- To authorize the people of Gratiot and other new counties to work out the amount of their indebtedness to this State on the highways in said counties, 16, 38, 538, 695, 736, 842, 1049, 1084.
- To amend act No. 248 of the laws of 1859, entitled an act to regulate fire, marine, life and health insurance companies and their agents, associations, partnerships and individuals, doing

- fire, marine, life and health insurance business, not incorporated by the State of Michigan, 25, 32, 47, 135, 177, 208, 338, 447, 635.
- To provide for the payment of the indebtedness of the State, falling due on and before January, 1863, 26, 65, 289, 343, 356, 373, 374, 410, 416, 420, 719.
- To amend an act entitled an act to authorize proceedings against garnishees and for other purposes, approved March 28, 1849, 26, 64, 193, 376, 395, 916, 940, 1132, 1136.
- To alter and amend chapter 22, of title 9, of the compiled laws, in relation to laying out, altering and discontinuing public roads and highways, 26, 32, 75, 226, 443, 642, 726, 770, 848, 862.
- To repeal act No. 197 of the session laws of 1859, being an act entitled an act to restore certain sections of land to town six south of range five east, approved February 15, 1859, 35, 46, 55, 57, 236, 289.
- To authorize the sale, by the State Treasurer, of two thousand copies of the compiled laws of the State of Michigan, 35, 93, 97, 119, 336, 366, 460.
- To authorize fractional school district number 1, of the townships of Shelby and Sterling, in the county of Macomb, to issue bonds, 35, 73, 82, 124, 136, 158.
- To change the name of William Franklin Kelley, 35, 46, 61, 99, 118, 351, 392, 460.
- To extend the time for the collection of taxes in the city of East Saginaw, 85.
- To improve the State Road from Greenville, in the county of Montcalm, to the village of Big Rapids, in the county of Mecosta, 36, 46.
- To divide the State into congressional districts, 38, 39, 46, 47, 50, 63, 74, 80, 81, 100, 305, 412, 717, 789, 921, 1129, 1134.
- To authorize the trial of criminal cases in justice court by six jurors, 39.
- To provide for the payment of members and officers of the Legislature for the year 1861, 44, 59, 66, 72, 83, 124, 129, 129, 156, 163, 171, 200.
- To amend section 2581 of the compiled laws, being section 4 of an act entitled an act to provide for the collection of tolls, and for the care and charge of the St. Mary's Falls Ship Canal, approved February 12, 1855, 44, 58, 66, 76, 442, 490, 596, 609, 1054, 1130, 1135.
- To amend sections 4339, 4340, 4341 and 4342 of the compiled laws, in relation to evidence, 46, 51, 89, 90, 139, 145, 889, 926, 1082.
- To amend act No. 200 of the session laws of 1859, being an act to encourage the manufacture of salt in the State of Mich-

- igan, 47, 51, 64, 74, 301, 323, 427, 865, 871, 879, 919, 927, 1021, 1132, 1137.
- To repeal the charter of the Jackson & Michigan plank road company, 47, 51, 63, 114, 134, 147, 506, 851, 884, 970, 984.
- Allowing the heirs of an estate to settle the same without taking the matter before the probate court, 48.
- Authorizing Esther Fletcher to convey certain real estate, 48.
- To amend an act entitled an act disposing of certain grants of land made to the State of Michigan, for railroad purposes, by an act of Congress, approved June 3, 1856, 51, 135, 178, 205, 212, 264, 277, 377, 393, 461.
- Changing the name of Alonzo M. Baldwin, 52, 75, 89, 93, 352, 392, 460.
- To appropriate certain swamp lands in aid of the construction of a State road from the city of Owosso, in Shiawassee county, to Midland city, in the county of Midland, 63.
- To provide a treasury system for the State of Michigan, for the manner of receiving, holding and disbursing the public moneys of the State, and for the safe keeping of the same, 64, 99.
- To amend an act entitled an act to provide against the recovery of damages done by beasts on lands not enclosed by a lawful fence, 64, 92, 122, 209, 355, 499, 514, 1074, 1128, 1134.
- To extend the time for the collection of drain and ditch tax in the townships of Brownstown and Romulus, in the county of Wayne, 65, 74, 75, 153, 171, 200.
- To authorize justices of the peace to render judgments for, and receive and dispose of costs, in certain criminal cases, and providing compensation to said justices therefor, 65, 74.
- To quiet title in the county of Kent, 73, 354, 555, 578, 585, 700, 743, 964, 1129, 1134
- Making an appropriation of swamp land for the improvement of the State Road from Port Sanilac, in Sanilac county, to the southern terminus of the Bay City and Tuscola Plank Road, in Saginaw county, 73, 92, 881, 1057.
- To amend act No. 104, of session laws of 1859, amending section 8, of chapter 38, of title 9, of the revised statutes of 1846, relative to the support of poor persons by the public, (compiled laws, section 1439,) 73, 80, 112, 216.
- To amend section 44, of chapter 12, of the revised statutes of 1846, (compiled laws, section 205,) 73
- To amend section 1014 of compiled laws, relative to the time of assessing highway labor, 74.
- To extend the time for the collecting of taxes in the townships of Clay, Kimball and Riley, in the county of St. Clair, 74, 112, 120, 202, 222, 376.

- To amend section 364, chapter 10, of the compiled laws, 81, 92, 97, 394, 398.
- For the extension of the time one month for the collection of taxes in the township of St. Clair, in the county of St. Clair, for the year 1860, 81.
- To discontinue a portion of the Lansing and Allegan State Road, 81, 92.
- To repeal an act entitled an act to amend chapter 23 of the revised statutes of 1846, relative to highway taxes, approved April 2, 1850, 81, 92, 133, 137, 335, 366, 461.
- To limit the charge of the circuit judges, and to compel them to reduce the same to writing, in certain cases, 87, 138.
- Making appropriations for the salaries of the State officers for the years 1861 and 1862, 89, 133, 216, 222, 227, 548, 604, 634.
- To amend section 3926 of the compiled laws, being section 3, of chapter 118, and to repeal section 3941, of section 18 of, said chapter, 92, 113, 177, 214, 472.
- To amend section 93 of an act to provide for holding general and special elections, approved June 27, 1851, relative to the fees of county clerks and district canvassers, 91, 126, 151, 283, 291, 1054, 1130, 1135.
- To extend the time for collection of taxes in the townships of Clyde, Columbus and St. Clair, in the county of St. Clair, 99, 112, 120, 202, 222, 376.
- To amend chapter 117 of the compiled laws, 91, 113, 166, 641, 685, 926.
- Authorizing the supreme and circuit courts to appoint a crier, 117, 126, 141, 216, 222, 228, 548, 604, 634.
- To abolish the present distinction of forms of pleadings in civil actions, and simplify the pleading therein, 117.
- To change the name of Cynthia Massey, 118, 165, 172, 176, 353, 392, 460.
- To amend an act entitled an act to amend an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, 118, 126, 141, 204, 454, 547, 712.
- To provide for granting a new trial in civil causes in courts of record, 118.
- To organize the township of Winfield, in the county of Mecosta, 92, 118, 151, 167.
- To amend sections 404 and 405 of the compiled laws, being sections 63 and 64, of chapter 10, enabling county clerks to appoint deputies 125, 143, 150, 283, 290, 843, 1084.
- To facilitate trials and other proceedings by jury, 126, 143, 149, 264, 274, 844, 1049, 1083.
- To amend sections 3520, 3521 and 3522, of chapter 115, of the

- compiled laws, concerning the abatement and revivor of suits in chancery, 14, 126, 140, 177, 207, 722, 764, 1008, 1128, 1136.
- To amend an act entitled an act amendatory to the several acts in relation to the Wesleyan Seminary, at Albion, and the Albion Female College Institute, approved February 9, 1857, 126, 222, 231, 370, 372, 462, 535, 634.
- To preserve the purity of elections, 127, 495, 678, 729, 1130, 1136.
- Authorizing the transfer by the board of control, of a grant of land made to this State by an act of Congress, passed June 3, 1856, to aid in the construction of a railroad from Marquette, on Lake Superior, to the Wisconsin State line, and the re-location of the same, 127, 139, 297, 498, 513, 637, 688, 770.
- To amend section 837 of the compiled laws, in relation to using assessment rolls as evidence in courts of justice, 137, 143, 149, 216, 222, 229, 547.
- To amend section 3563 of the compiled laws of 1857, relative to proceedings in chancery for the foreclosure of mortgages, 137, 140, 178, 214, 474, 500, 535, 634.
- To amend section 3836 of the compiled laws, and to repeal section 3846 of said laws, 146, 205, 649.
- To amend an act entitled an act to provide for the drainage and reclamation of swamp lands by means of State roads and ditches, approved February 12, 1859, 63, 139, 413, 246, 743, 817, 838, 864, 892, 985, 1007, 1015, 1023, 1049, 1062, 1083, 1129, 1136.
- To amend an act to provide a military fund, in aid of the uniformed volunteer militia, approved February 14, 1859, 143, 159, 271, 300, 304, 311, 324, 342, 349, 479, 537, 897, 981, 1051, 1064, 1105, 1121, 1131, 1137.
- To amend act No. 187, of the session laws of 1859, being a law regulating proceedings in courts of probate, 26, 143, 159, 161.
- To provide for the signing of decrees, records and journals in courts of record, 125, 143, 149, 264, 275, 915, 1050, 1083.
- To authorize and empower judges of probate to license executors, administrators and guardians to mortgage, or otherwise pledge estate for the settlement of debts against the same, 143, 175, 194, 376, 394, 1065, 1129, 1135.
- Compelling mining companies in the Upper Peninsula of Michigan, to file with the county treasurer of the county in which they are doing business, a list of their stockholders, and the amount of the company's indebtedness, 63, 143, 152, 264, 275, 606, 621, 689, 812.
- To authorize the granting of new trials in all civil actions other than actions of ejectments, 144, 171.
- To repeal act No. 229, session laws of 1849, approved April 2,

- 1849, relative to the establishing of a public highway in the township of Troy, in Oakland county, 159, 166, 355.
- To change the name of the unorganized county of Otsego to that of Seward, 164, 175, 247, 262, 712.
- To authorize the judge of probate in the county of Wayne to appoint a register, 164.
- To provide for the surrender of criminals charged with offenses in other States, 164.
- Authorizing the First Presbyterian Society of Ann Arbor to borrow money and secure the payment of the same, 165, 226, 307, 308, 368, 447, 635.
- To prevent persons from placing obstructions in any navigable stream in this State, 165.
- To change the name of Nellie Frances Augur to Nellie Frances Hull, 165, 175, 248, 262, 352, 392, 460.
- To change the name of Sarah B. Blanchard to Sarah B. Markham, and Charles Blanchard to Charles Markham, 165, 204, 220, 672, 729.
- To amend section 4, of title 11, of an act to revise the charter of the city of Grand Rapids, 165, 175, 279, 635.
- To repeal section 2, of act 106, of laws of 1840, 165.
- To amend sections 14 and 16, and to repeal section 15, of chapter 134, of compiled laws, relative to the action of ejectment, 166, 226, 236.
- To repeal act No. 257, of the session laws of 1859, entitled an act authorizing the commissioners of highways of townships to establish water-courses, and locate ditches in certain cases, 174.
- To amend an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, 175, 287, 539, 540, 581, 631, 686, 769, 1016, 1118, 1130, 1138.
- To amend section 25, of title 4, of an act to revise the charter of the city of Grand Rapids, 165, 175, 279, 290, 368, 447, 635.
- To establish the Detroit house of correction, and authorize the confinement of convicted persons therein, 176, 209, 376, 395, 965, 1129, 1134.
- To change the name of John Gregg to Charles Welcome Hill, 176, 212, 354, 371, 667, 688, 770.
- To extend the time for the collection and return of taxes in the unorganized territory of Manitou county, 177, 206.
- To provide a tax for the expenses of the State government and for a sinking fund, 187, 193, 292, 321, 963, 1050, 1083.
- To provide the means for the redemption of the bonds of the State maturing in January, 1863, 187, 193, 310, 311, 343, 375, 410, 416, 420, 691, 719, 793, 926, 1082.



- Making an appropriation for the support of the Michigan Asylum for the Deaf, Dumb and Blind, at Flint, 188, 193, 227, 371, 678, 679, 789, 963, 1049, 1083.**
- Making appropriations for the support of the Agricultural College, 188, 193, 371, 899, 922, 1006, 1024, 1181.**
- To incorporate Tyre Lodge of Free and Accepted Masons, of the village of Coldwater, 204, 211, 247, 694, 739.**
- To extend the time for the collection of taxes in the township of Caseville, in the county of Huron, for the year 1860, 205, 213, 225, 237, 288.**
- To extend the time for the collection of taxes in the township of Groveland, in Oakland county, for the year 1860, 207, 211, 212, 213, 225, 236, 288.**
- To amend section 12, of chapter 23, of the compiled laws, relative to the obstruction of the navigation of rivers or streams declared public highways, 212, 219, 827, 863, 895.**
- To repeal act No. 197, of the session laws of 1859, being an act entitled an act to restore certain sections of land to town six south of range five east, approved February 15, 1859, 223.**
- To regulate proceedings in cases of recoupment, 226, 239, 399, 416, 1065, 1129, 1136.**
- To authorize a judgment and execution against sureties on the forfeiture of recognizances, 226.**
- To repeal sections 2, 3 and 4, of an act entitled an act to protect the rights and liberties of the inhabitants of this State, approved February 13, 1855, 226.**
- To regulate the manner of attaching unorganized territory to organized counties for judicial and municipal purposes, 227, 239, 286, 464, 820, 857, 1089, 1128, 1184.**
- To amend chapter 194 of the compiled laws, relative to the arrest and examination of offenders, commitment for trial and taking bail, 227, 369, 402, 415.**
- To repeal section 139, of chapter 6, title 3, of the compiled laws, 227, 239.**
- To provide for the continuance of the State Geological survey, 233, 243, 574, 604, 634.**
- To abolish the office of District Attorney in the Upper Peninsula, 239, 270, 307, 309.**
- To amend section 14, of chapter 134, of the compiled laws, entitled of the action of ejectments, 239, 282, 285, 464, 480.**
- To exempt sewing machines from levy and sale on execution, 239, 366, 554, 797, 969, 1049, 1083.**
- For the extension of the time for the collection of taxes in the townships of Casco and Wales, in the county of St. Clair, 259, 263, 273, 278, 376.**

- To alter and limit the boundaries of the village of Corunna, in the county of Shiawassee, 260, 297, 630.
- To compel railroad companies to pay for property destroyed by them in certain cases, 260.
- To amend sections one, three, four, five, six and seven, of an act entitled an act to incorporate the fire department of the city of Detroit, 271, 297, 464, 481, 1064, 1133, 1137.
- To authorize the trustees of the Central Methodist Episcopal Church of Lansing to borrow money, and secure the payment thereof by mortgage on lot number 6, in block number 96, in the city of Lansing, 271, 279, 282, 322, 339, 392, 460.
- To change the name of the First Congregational Society of the village of Ionia, 282, 289, 291, 298, 303, 474, 535, 635.
- To amend certain sections of the primary school law, 288, 292, 296, 298, 300, 302, 304, 306, 308, 310, 312, 314, 316, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, 340, 342, 344, 346, 348, 350, 352, 354, 356, 358, 360, 362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 384, 386, 388, 390, 392, 394, 396, 398, 400, 402, 404, 406, 408, 410, 412, 414, 416, 418, 420, 422, 424, 426, 428, 430, 432, 434, 436, 438, 440, 442, 444, 446, 448, 450, 452, 454, 456, 458, 460, 462, 464, 466, 468, 470, 472, 474, 476, 478, 480, 482, 484, 486, 488, 490, 492, 494, 496, 498, 500, 502, 504, 506, 508, 510, 512, 514, 516, 518, 520, 522, 524, 526, 528, 530, 532, 534, 536, 538, 540, 542, 544, 546, 548, 550, 552, 554, 556, 558, 560, 562, 564, 566, 568, 570, 572, 574, 576, 578, 580, 582, 584, 586, 588, 590, 592, 594, 596, 598, 600, 602, 604, 606, 608, 610, 612, 614, 616, 618, 620, 622, 624, 626, 628, 630, 632, 634, 636, 638, 640, 642, 644, 646, 648, 650, 652, 654, 656, 658, 660, 662, 664, 666, 668, 670, 672, 674, 676, 678, 680, 682, 684, 686, 688, 690, 692, 694, 696, 698, 700, 702, 704, 706, 708, 710, 712, 714, 716, 718, 720, 722, 724, 726, 728, 730, 732, 734, 736, 738, 740, 742, 744, 746, 748, 750, 752, 754, 756, 758, 760, 762, 764, 766, 768, 770, 772, 774, 776, 778, 780, 782, 784, 786, 788, 790, 792, 794, 796, 798, 800, 802, 804, 806, 808, 810, 812, 814, 816, 818, 820, 822, 824, 826, 828, 830, 832, 834, 836, 838, 840, 842, 844, 846, 848, 850, 852, 854, 856, 858, 860, 862, 864, 866, 868, 870, 872, 874, 876, 878, 880, 882, 884, 886, 888, 890, 892, 894, 896, 898, 900, 902, 904, 906, 908, 910, 912, 914, 916, 918, 920, 922, 924, 926, 928, 930, 932, 934, 936, 938, 940, 942, 944, 946, 948, 950, 952, 954, 956, 958, 960, 962, 964, 966, 968, 970, 972, 974, 976, 978, 980, 982, 984, 986, 988, 990, 992, 994, 996, 998, 1000.
- Relative to the arrest and surrender of fugitives from justice, 289, 296, 578, 583, 693.
- To amend sections 11 and 127, of chapter 117, of the compiled laws, in relation to justice courts, 289, 300, 380, 579, 628, 646, 725, 1082.
- To authorize the district judge of the Upper Peninsula, to make titles to lands in the village of Ontonagon to actual occupants, as per act of Congress May 23, 1844, 289, 937, 1112, 1130, 1139.
- To amend sections 6138 and 6140 of the compiled laws, being sections 10 and 12, of chapter 201, providing for the employment of prisoners confined in the county jails, 292, 302, 785, 1050, 1083.
- To amend an act entitled an act to amend an act to incorporate the village of Kalamazoo, and the acts amendatory thereto, approved April 1, 1850, and the acts amendatory thereto, 300, 306, 332, 672, 729, 766, 799, 912, 1132, 1137.
- To amend section 1, of chapter 122, of the revised statutes of 1846, in relation to proceedings against boats and vessels, 300.
- To attach fractional township seventeen north, of range nine east, to the township of Caseville, in Huron county, 391, 319, 385, 396, 500, 535, 635.
- To prescribe the duties of the circuit judges of this State in charging juries, 301, 307, 387.
- To repeal act No. 257, of the session laws of 1859, the same being an act authorizing the commissioners of highways of townships to establish water courses, and locate ditches, in certain cases, 301, 331, 578, 583.
- To authorize the several townships in the counties of Manistee, Mason and Oceana, to assess a tax for the improvement of harbors and rivers, 301.

- To legalize the tax roll of the township of Maple Grove, in the county of Barry, and to extend the time for the collection of taxes therein, 306, 308, 311, 331, 375.
- To amend chapter 170, of the revised statutes of 1846, being chapter 200 of the compiled laws, by adding four new sections thereto, relative to conditional pardons, 307, 384, 673, 734, 1099, 1131, 1138.
- To incorporate the village of Constantine, 319, 648, 887, 1131, 1137.
- For the apportionment of Senators in the State legislature, 320, 412, 900, 1004, 1128, 1134.
- To authorize the Detroit & Milwaukee Railroad Company to issue stock in place of the original stock of the Detroit & Milwaukee Railway Company, 322, 355, 367, 401, 414, 658, 688, 770.
- To amend section 8, of chapter 65, of the revised statutes of 1846, regulating the execution of deeds and other instruments affecting real estate, 323, 369, 424, 730.
- To amend the charter of the village of Hillsdale, 333, 341, 355, 371, 475, 633, 679, 769.
- Making appropriation for paying indebtedness incurred by repairing damage done by the fire at the reform school, 338, 380, 396, 476, 535, 634.
- To create and establish a State system of banking, 338, 367, 644.
- To amend section 18, of chapter 175, of the compiled laws, in relation to fees of jurors, 338, 355, 360, 579, 627.
- Granting to the Grand River Valley Railroad company the right of way over certain State lands, and extending the time for the construction of the same, 339, 354, 709, 806, 1022, 1131, 1137.
- To exempt from taxation the lands belonging to incorporated colleges and academies, 354, 410, 582, 939.
- To amend article 2, section 5, of chapter 20, compiled laws, relative to persons liable to work on highways, and making assessment therefor, 354.
- To amend section 3 of an act entitled an act to define the limits, jurisdiction and powers of circuit courts, approved April 8, 1851, being section 3413 of compiled laws, 355, 360, 578, 584.
- Changing the name of the village of Willow Creek, in the county of Huron, 356, 370, 409, 421, 574, 604, 634.
- To amend section 1661, of chapter 52, of compiled laws, in relation to the manufacture and sale of spirituous or intoxicating liquors as a beverage, 260, 300, 356, 364, 434, 642, 647, 698, 741, 765, 1026, 1128, 1135.

- To incorporate the city of Coldwater, in the county of Branch, 370, 631.
- To provide for the superintendence and care of the Bay City and Tuscola plank road, 370, 387, 397, 427, 476, 535, 634.
- To regulate the payment of entry fees in certain cases, 370, 496, 516, 896, 978.
- Authorizing the commissioners on the Port Hope and Saginaw Bay State road to change its location, and making a grant of swamp lands for its improvement, 371, 391, 427.
- To amend an act entitled an act relative to State Prison, approved February 12, 1857, being sections 6231 and 6233 of the compiled laws, 307, 323, 384, 673, 734, 1053, 1129, 1135.
- To amend an act entitled an act relative to convicts sentenced to solitary confinement in the State Prison, approved April 2, 1849, being section 6230 of compiled laws, 308, 323, 384, 766, 846, 969, 1049, 1083.
- Making appropriation for building wall, shop and L for State Prison for the years 1861 and 1862, 385, 703, 742, 1124.
- To amend the charter of the city of East Saginaw, 390.
- Providing to relieve from taxation all property of coal companies, and to provide a bounty of not less than ten cents per ton for all coal raised within the State, to be paid out of the State Treasury, 390.
- To amend sections 3483, chapter 113, compiled laws, regulating the recording and authentication of notice of lispendens, 391, 413, 424, 454, 667, 688, 769.
- To authorize the Auditor General to cancel the sale of lands for ditch or drain tax in Jackson county, and to authorize the board of supervisors to revise the assessments and to reassess the same, 391, 705.
- To amend section 3, of chapter 1, of the revised statutes of 1846, being section 2, of chapter 1, compiled laws, entitled "of statutes defining general elections," 391, 401, 415, 424, 453.
- Making appropriations of swamp lands to aid in building a road from Cepac, east to intersect the Port Huron and Brockway plank road, in the county of St. Clair, 391, 413, 425, 793, 805.
- To amend section 1, of act number 117, laws of 1859, in reference to the Allegan, Muskegon & Traverse Bay State road, 392.
- Relative to brokers and exchange dealers, 393, 453, 469, 713, 767, 852, 1091.
- Relating to interest and usury, 393.
- To amend an act entitled an act to establish graded and high schools, approved February 14, 1859, being act number 161, session laws of 1859, 393, 410.
- To amend an act entitled an act for the benefit of fractional

- school district number 1, of Vassar, and number 2, of Tuscola, 393, 505, 562, 721, 926, 1082.
- To amend section one of an act relative to the admission of attorneys, solicitors and counsellors, approved March 31, 1849, 393, 400, 827, 864, 965.
- Making appropriations for finishing the Michigan Asylum for the Insane, 406, 682, 695, 747, 815, 1049, 1083.
- Making an appropriation of swamp lands on a road from Ionia to Bellevue, in the county of Eaton, 413.
- To lay out a State road from Pewamo, in the county of Ionia, by the way of Marathon, to the center of Isabella county, and appropriating certain swamp lands thereon, 418, 495, 811, 918, 1031.
- To repeal section 2, of act No. 106, of the session laws of 1840, 413, 434, 440, 639.
- To appropriate swamp lands to building a road through the cotton wood swamp, from Blissfield village, in Lenawee county, to Ottawa Lake, in Monroe county, 414, 507, 881.
- To amend an act to provide for the incorporation of railroad companies, approved February 12, 1855, 414, 686, 717, 788, 827, 860.
- To reorganize the agricultural college of the State of Michigan, and to establish a State board of agriculture, which shall have control of said college, &c., 428, 434, 614, 623, 652, 824, 845, 887, 897, 1014, 1131, 1136.
- To authorize telegraph operators to be examined as witnesses in criminal cases, 437, 446.
- To amend section 8, of act number 138, of the session laws of 1859, entitled an act to provide for the trial of offenses upon information, 437, 445.
- To authorize townships to raise money to drain swamps and marshes, 437, 491.
- To incorporate the city of Coldwater, 437, 444, 477, 512, 769.
- To amend section 26, of chapter 101, of the revised statutes of 1846, being section 3064 of the compiled laws, relative to the sale of real estate of deceased persons, 438, 494, 518, 787, 847, 964, 1131, 1136.
- To authorize the First Congregational Society of Hudson to dispose of real estate, 439, 781, 1050, 1084.
- To repeal sections 1687 and 1688, of chapter 54, of the compiled laws, being in relation to county and town agricultural societies, 439.
- To extend the time for the collection of taxes in the township of Bingham, in the county of Clinton, 452, 472, 535, 635.
- To amend section 45, chapter 52, of compiled laws, relative to

- the organization of incorporated villages under the general law, 452.
- To establish a State Road from section 23, in town 12 north, range 6 east, to section 8, town 10 north, range 8 east, and making a grant of swamp land for the improvement thereof, 452.
- Appropriating certain swamp lands to open and improve a road leading from Sebewaing, in Huron county, to Watrousville, in Tuscola county, thence south to intersect the Port Huron and Bay City State Road, 453, 494, 881.
- To establish the distinction, in civil actions, and simplify the pleading therein, 453, 467.
- To amend section 2 of an act entitled an act to revise the charter of the city of Grand Rapids, approved February 14, 1857, 458, 471, 482, 638, 688, 770.
- To amend act No. 201, of the session laws of 1859, relative to the adulteration of alcoholic liquors, 464, 481.
- To enlarge union school district number 2, in Pontiac, Oakland county, 412, 1028, 1059, 1118, 1133, 1138.
- To discontinue a portion of the Allegan and Lansing State road, 469, 596, 610, 692, 812, 1134.
- To lay out and establish a State road from Tawas city, in Iosco county, to Traverse city, in Grand Traverse county, and to make an appropriation of certain non-resident highway taxes thereon, 476, 536.
- To amend section 5659 of compiled laws, relative to fees for publishing legal notices and advertisements, 476, 707.
- Granting certain swamp lands to James Maycroft, 476, 507, 809, 856, 969, 1049, 1083.
- Making an appropriation for the building of a bridge in the city of Lansing, 476.
- To repeal act number 70, of the session laws of 1855, being an act entitled an act to establish teachers' institutes, approved February 10, 1855, 477, 504, 970.
- Making appropriation of swamp lands for the purpose of draining certain marshes or swamps in the county of Genesee, 477, 537, 1058, 1070, 1130, 1135.
- To amend an act to extend the Ionia and Houghton Lake State road to Old Fort Mackinaw, on the straits of Mackinaw, being act number 240, session laws of 1859, 478, 902, 1057.
- To amend section 2435 of the compiled laws, relative to the payment of moneys by purchasers of the trust fund lands to county treasurers, 478, 591, 608, 611, 1089, 1128, 1134.
- To provide for selecting and locating the unselected deficiency existing in the quantity of lands due to the State of Michigan, under the acts of Congress, 478, 592, 594, 641, 649, 721, 926, 1082.

- To amend section 45, of chapter 52, of compiled laws, relative to the organization of chartered villages, 478, 503, 513.
- To provide for the appointment and payment of commissioners of swamp land roads, 479.
- To require the commissioners and overseers of highways to give bonds, and for other purposes, 479.
- To repeal a portion of act No. 78, session laws 1846, 479.
- To confirm sales of certain school lands in the Upper Peninsula, made by the Commissioner of the State Land Office, August 4, 1849, 479, 497, 519, 898, 936, 1016, 1060.
- To provide for the recovery of damages sustained to property by individuals, in crossing decayed and defective bridges, 479.
- Making appropriations of swamp land to improve certain roads in Wayne and Monroe counties, 480, 507, 882.
- To appropriate four thousand acres of swamp lands to erect a bridge on the Chicago road across the St. Joseph river, in the county of St. Joseph, 480, 507, 881.
- To prevent fishing with nets or seines at the mouth of creeks and rivers, and placing any obstructions in the channel of navigable streams of this State, 485, 1032.
- To amend act No. 176, of the session laws of 1857, 486, 898, 903, 938.
- To amend section 59, chapter 6, of the compiled laws, concerning the canvassing of votes at elections, 493, 520, 726, 743, 1090, 1128, 1134.
- To amend section 56, chapter 78, of the revised statutes of 1846, being section 2299 of the compiled laws, relative to the report of school district boards to supervisors, 439, 494.
- To amend section 6243 of the compiled laws, relative to persons to be sentenced to the reform school, 439, 494, 589.
- To amend section 9, of chapter 17, of the compiled laws, relative to assessing property at its true value, 494, 615, 896.
- To amend sections 2014 and 2017 of the compiled laws, in reference to religious societies to authorize the recording of articles of association, and to give the trustees, wardens and vestrymen authority to execute securities upon church property in certain cases, 494, 533, 726, 744, 889, 1050, 1084.
- To amend section 5360 of the compiled laws, in reference to the crime of polygamy, 495, 503, 725, 743, 911.
- To vacate a part of the village plat of South Haven, in Van Buren county, 495, 584, 553.
- Making a grant of swamp lands to promote the early completion of the several land grant railroads in the Upper Peninsula, 393, 495, 687, 882, 1093, 1103, 1115, 1131, 1139.
- To lay out a State road from Ionia, in the county of Ionia, to

- Bellevue, in the county of Eaton, and appropriating certain swamp lands thereon, 495, 882.
- Appropriating swamp lands for opening and improving a road leading from the Port Huron and Bay City State road, at or near section 28, in township 12 north, range 6 east, to the village of Tuscola, thence to the Goodrich and Lower Saginaw State road, at or near section 9, township 10 north, range 8 east, 496.
- Relating to deposit accounts, and to interest, exchange and commissions received or paid by the State Treasurer, 496, 506, 562, 692, 812, 1082.
- Asking an appropriation of swamp lands for the improvement of a road leading from the village of Dowagiac, in Cass county, to the township of Hamilton, in Van Buren county, 496.
- To open and improve the State road from Mecosta county to the county seat of Oceana county, 497, 508, 900, 1058, 1096.
- To lay out and establish a State road from White Lake, in Muskegon county, to the south branch of Pentwater river, in Oceana county, by an appropriation of swamp lands, 497, 508, 881.
- To repeal section 2556, being section 3, of chapter 83, of the compiled laws, respecting mines and minerals, 497, 532, 554, 899, 962, 984.
- To appropriate certain swamp lands for the building and improvement of a certain road and bridges running north from the village of Dowagiac, in Cass county, between the townships of Silver Creek and Wayne, in said county, and also between the townships of Hamilton and Keeler, to the territorial road in the county of Van Buren, 507.
- To appropriate certain swamp lands for the building and improvement of the meridian line road, from the corporation line of the village of Hudson, in Lenawee county, to the State line between Ohio and Michigan, 439, 458, 502, 507, 608, 610, 881, 885, 1066, 1131, 1137.
- To provide for the equal valuation and assessment of property in the village of Hudson, 508, 615, 644.
- To authorize the several townships in the counties of Muskegon, Oceana, Mason and Manistee, to levy taxes for the improvement of harbors and rivers within their respective counties, 508, 1068, 1112, 1132, 1136.
- To organize the township of Nottawa, 508, 959, 975.
- To lay out and establish a State Road in Van Buren county, 509, 810.
- To amend section 1 of an act entitled an act to authorize the business of banking, approved February 16, 1857, 509, 531, 628.



- To regulate interest, the loaning of money, to prevent the taking of usury, and to secure persons loaning money against fraud, 509, 750, 752, 761, 892.
- To appropriate the proceeds of certain swamp land to the reclamation of certain swamp lands in Jackson county, 509, 810, 854, 1075.
- To encourage the mining of coal in the State of Michigan, 509, 531.
- Appropriating swamp lands to colleges and academies in this State, 510.
- To amend section 3695, of chapter 117, and section 5011, of chapter 152, of compiled laws, concerning affidavits in actions of replevin, 510, 516, 641.
- For the collection of damages sustained by reason of defective bridges on public highways, 510, 518, 819, 859, 883, 935, 1100, 1132, 1138.
- To amend section 4180 and 4182 of the compiled laws, in reference to pleadings and set off, to authorize demands to be set off, 510, 519.
- To incorporate the city of Pontiac, 510, 534, 567, 639, 671, 696, 1133, 1137.
- To amend section 5, of chapter 20, of the compiled laws, relative to persons liable to work on highways, and making assessments therefor, 512.
- To grant 25,000 acres of State swamp land to the German American Seminary, of the city of Detroit, 521, 524, 918, 1032, 1070, 1129, 1186.
- To amend section 107, of chapter 78, of compiled laws, in reference to the apportionment of the two mill tax, 531.
- Authorizing the establishment of township school districts, 531.
- To vacate a part of the village plat of Constantine, in the county of St. Joseph, 534, 553.
- Relative to laying out, altering and discontinuing highways, 537, 726, 770, 848, 851, 967, 1129, 1134.
- To authorize the board of supervisors of Cass county, to raise money, by tax, to maintain a bridge over St. Joseph river, in the town of Mottville, in the county of St. Joseph, 538, 1034, 1125.
- To authorize the board of Supervisors of Ontonagon county to raise money, by tax or otherwise, for the protection and improvement of the harbor at the mouth of Ontonagon river, 548, 678, 736, 913, 1050, 1084.
- To amend an act incorporating the Boston and Pittsburg mining company, 538, 673, 736, 1100, 1131.
- Creating the office of county surveyor and defining his duties, and to repeal sections 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453 and 454 of the compiled laws, 539, 580.

- Granting swamp lands, and appointing a commissioner, for the purpose of constructing the State road surveyed, laid out and established under the provisions of act No. 70, of the session laws of 1857, 539, 837.
- To lay out, establish and improve a road from Muskegon river to the north line of Mason county, and making an appropriation of swamp lands for that purpose, 506, 539, 837, 976.
- Appropriating certain swamp lands for the benefit of Adrian college, 539, 881.
- To amend an act entitled an act to provide for the draining of swamps, marshes and other low lands, approved February 17, 1857, 539, 582, 804.
- For the relief of the State historical society, 540, 580, 591.
- Relative to plank roads, 540, 710, 846.
- To amend chapter 82 of compiled laws, entitled of limited partnerships, 540, 577, 607, 622, 647, 678, 738, 888, 1049, 1082.
- To repeal section 3 of an act entitled an act relative to plank road companies, approved February 12, 1855, (compiled laws, paragraph 1934,) 540, 710, 803.
- To amend an act entitled an act to incorporate the city of Lansing, 540, 763, 820.
- Relative to the letting of contracts by State officers, boards of control, inspectors or commissioners, 541, 627, 767, 848, 1052, 1130, 1135.
- To amend an act entitled an act disposing of certain grants of lands made to the State of Michigan for railroad purposes, approved June 3, 1856, approved February 14, 1857, 541, 764, 851, 925, 975, 1133.
- To lay out and establish a State Road in the county of Van Buren, 541.
- To exempt Pine Grove Seminary from taxation, 541, 615.
- To provide for draining State swamp lands in townships 2 north, of range 15 and 16 west, in Allegan county, 541.
- To change a portion of the boundary line between the city of Detroit and the township of Hamtramck, in the county of Wayne, 541, 761, 781, 789, 861.
- To amend sections 3993 and 3994, of chapter 119, of the compiled laws, approved February 14, 1853, 541, 577.
- To amend an act to amend chapter 93 of the revised statutes of 1846, entitled of courts held by justices of the peace, 542, 581.
- To authorize the township board of the township of Genoa, in the county of Livingston, to transfer the title of the township burial ground to a corporation, 542, 589, 595.
- To repeal an act to furnish the Michigan Journal of Education to the school districts, approved February 14th, 1857, 542, 984, 1119, 1132.

- To incorporate the public school of the city of Adrian, 542, 605, 970, 966, 1049, 1084.
- To amend an act entitled an act to provide for laying out a State road in Ionia, Kent and Barry counties, approved February 12th, 1859, 542, 749, 765, 895, 1058.
- To provide for prosecuting experiments for the discovery of the most economical method of purifying brine used in the manufacture of salt, 542, 604.
- To amend an act to incorporate the city of Owosso, approved February 15th, 1859, 9, 542, 590, 825, 855, 1078, 1131, 1137.
- To amend an act entitled an act to amend section 25, of chapter 153, of the revised statutes of 1846, the same being 5735 of the compiled laws of 1857, 543.
- To amend sections 78 and 120, of chapter 17, of the compiled laws, relative to State tax lands, 543, 687.
- To provide for the construction of a road in Saginaw county, 543, 809, 850, 1090, 1130, 1139.
- To amend section 5659 of the compiled laws, relative to fees for publishing legal notices and advertisements, 543, 919, 980, 983, 1029.
- To amend an act entitled an act to provide for the drainage of swamp lands by actual settlers, being act No. 229 of the session laws of 1859, 32, 480, 543, 837, 1029, 1045.
- To repeal act No. 143, session laws of 1859, relative to the University interest fund, 544, 590, 832, 891, 896, 976.
- Appropriating State swamp lands to build and improve the State road leading west from Dowagiac, in Cass county, to the village of Berrien, in Berrien county, 496, 544, 837, 881.
- To amend an act entitled an act to encourage the manufacture of salt in the State of Michigan, 544.
- To repeal sections 101, 102 and 124, of act No. 32, of session laws of 1858, 544.
- To provide for something which is very necessary, and which has been forgotten, 544, 708.
- To provide for the abatement of suits in chancery in certain cases, 550.
- To provide for obtaining documents and papers pertaining to the early history of Michigan, and to aid the State Historical Society to publish the same, 551, 591.
- To attach a portion of the 10th ward in the city of Detroit to the township of Hamtramck, in the county of Wayne, 551, 761, 781, 975.
- Authorizing the supervisors of the several towns in the Upper Peninsula to assess and collect the State taxes upon all mining companies' real estate or other property, 551, 709, 1112, 1132, 1138.

- To grant the State swamp lands to the counties in which they are located, 551, 560, 1059.
- To amend act No. 189, of the session laws of 1859, 551.
- To repeal the charter of the Allegan and Otsego plank road company, 551, 710.
- To extend the time for the collection of taxes in the county of Wayne, 552.
- To compel railroad companies to pay for certain property destroyed by them, at highway crossings, 552.
- For the assessment of damages caused by the flowing of lands, by the erection of mill dams, 551, 552, 838, 903, 927, 937.
- To organize the township of Groveland, in the county of Montcalm, 555, 960, 985, 1111.
- To amend act No. 187, of the session laws of 1859, 555, 624, 819.
- To amend act number 32, of the session laws of 1858, relative to the canceling of deeds by the Auditor General, 555, 1033, 1114, 1132, 1138.
- To repeal the charter of the bank of Tecumseh, 555, 987.
- To exempt printers' materials from levy and sale on execution, 708.
- More effectually to secure the lien of mechanics and other laborers, 797, 807, 852.
- To organize the townships of Paris and Verona, in Huron county, 1113, 1133, 1138.

#### BILLS ORIGINATING IN THE HOUSE—SENATE ACTION THEREON.

- To provide for the relief of school districts numbers 1 and 2, of Manchester, in the county of Washtenaw, 45, 49, 53, 158.
- To extend the time for the collection of taxes in the unorganized county of Delta, 45, 47, 48.
- To provide for the collection and return of taxes by township treasurers, in newly organized counties, in certain cases, 52, 111, 127, 128.
- To facilitate the commencement of suits against joint defendants residing in several counties, 55, 134, 439, 1094, 1095.
- To provide for the restoration of lost records, papers, or other proceedings, in courts of record, 56, 86, 139, 144.
- To amend section 44, of chapter 65, of the revised statutes of 1846, (compiled laws, vol. 2, sec. 2763,) 62, 88, 146, 166.
- To compel the service of process by certain ministerial officers, 90, 97, 139, 144.
- To amend section 4 of an act entitled an act supplementary to an act to define the limits, jurisdiction and powers of circuit courts, 98, 111, 146, 154, 166.

- To provide for the incorporation of associations for the publication of books, tracts, documents, and other matters of a religious, historical, literary or educational character, 98, 223, 399, 497, 533, 561, 566, 641, 648, 665, 733.
- To provide for the collection and return of taxes by township treasurers in newly organized counties, 99.
- To extend the time for the collection of taxes in the township of Holland, in the county of Ottawa, 115, 123, 128.
- To repeal an act entitled an act to prevent the adulteration of alcoholic liquors, and to punish all persons who shall sell, or offer to sell, adulterated liquors, and other adulterated beverages, 115, 283, 287, 498.
- To legalize the tax roll of the township of Ionia, in the county of Ionia, and to authorize the collection of the same, 130.
- To amend sections 9 and 34, of chapter 128, of the compiled laws, relative to the selection and return of jurors, 154, 162, 234, 240.
- To amend section 8, of chapter 38, of the revised statutes of 1846, as amended by an act entitled an act to amend chapter 40 of the compiled laws, relative to the support of poor persons by the public, 154, 210, 222, 228.
- To extend the time for the collection of taxes for the year 1860, 155, 160.
- To confirm deeds and instruments for the conveyance of real estate in certain cases, 157, 162, 234, 240.
- To transfer the general supervision and government of the State Agricultural College from the State Board of Education to a State Board of Agriculture, 157.
- To authorize the Fort Street Presbyterian Church of Detroit to hold certain property, 157, 162, 167, 204.
- To amend an act entitled an act to authorize the incorporation of bridge companies, 163, 172, 176.
- To authorize appeals to circuit and district courts, from special proceedings before justices of the peace, 164, 245.
- To provide for changing the names of minor adopted children, and other persons, 201, 218, 229.
- To extend the time for the collection of taxes in the township of Lyons and Boston, Ionia county, for the year 1860, 203.
- To authorize fractional school district No. 3, of the townships of Sylvan and Lima, county of Washtenaw, to issue bonds, 211, 220, 231.
- To authorize the trustees of the First Methodist Episcopal Church of Lansing to convey to the trustees of the Central Methodist Episcopal Church of Lansing, lot No. 6, in block No. 96, in the city of Lansing, 215, 230, 240, 242.

- To authorize the trustees of the First Congregational Church of Lawrence, Van Buren county, to mortgage real estate, 224, 231.
- To change the name of the Algerville and Grand Blanc Plank Road company, to the name of Grand Blanc and Holly Plank Road company, 224, 237, 242, 276.
- To amend an act entitled an act to establish teachers' institutes, approved February 10, 1855, 224, 426, 478, 597, 979, 1098.
- Relative to the duties of township and county officers concerning receipts for moneys paid into the county treasury, 237, 299, 303.
- To provide for the levying of a special tax in certain townships in Van Buren and Allegan counties herein named, for the improvement of the mouth of the South Black river, in the county of Van Buren, 258, 287, 441, 456.
- Relative to executions on real estate, 259, 284, 441, 457, 609, 611.
- To extend the time for the collection of taxes in the county of Wayne, 259, 263, 274, 281, 559, 564.
- Relative to interest on contracts between citizens of this State and other States and countries, or payable elsewhere than in this State, 270, 285, 442, 455, 458, 902, 938.
- To amend section 5, of chapter 165, of the revised statutes of 1846, relative to challenges of jurors, in certain cases, 270, 284, 441, 455.
- To amend sections 8, 9, 16 and 18, of chapter 94, of the revised statutes of 1846, the same being chapter 118, compiled laws, 280, 362, 554, 563, 594.
- To amend an act entitled an act to establish graded and high schools, approved February 14, 1859, being act No. 161, session laws 1859, 299, 1077.
- To amend section 86, of an act entitled an act to amend chapter 93, of the revised statutes of 1846, entitled of courts held by justices of the peace, the same being section 3738 of the compiled laws, 305, 325, 340.
- To continue the authority of circuit court commissioners, after the expiration of their term of office, in certain cases, 306, 325, 340.
- To amend an act entitled an act to incorporate the village of Bay City, approved February 9, 1859, 320, 332, 341.
- To amend an act to provide punishment for fraudulently removing or embezzling property under chattel mortgages, approved February 15, 1859, 333, 361, 554, 563.
- To provide for publishing the statistics of the State of Michigan, taken by authority of the United States, in the year 1860, 334, 365, 554, 1030, 1069.

- Attaching certain territory to the township of Geneva, in Tuscola county, 337, 386, 397.
- To repeal an act to authorize Bay county to raise money by the issue of bonds to aid in the construction of a road, approved February 14, 1859, 338, 366, 372.
- To amend an act to amend certain sections of an act to incorporate the city of Flint, approved February 13, 1855, approved February 2, 1857, 368, 386, 397.
- To amend section 5, of chapter 81, of revised statutes of 1846, relative to the bonds of county treasurers in certain cases, 389, 434, 440.
- To amend an act entitled an act to incorporate the city of Battle Creek, approved February 3, 1859, 411, 444, 479, 483.
- To amend an act entitled an act to organize the county of Mecosta, and to locate the county seat thereof, approved February 11, 1859, 411, 960.
- To provide for the marking and branding of horses, cattle, sheep and swine, 451, 596, 621.
- To amend sections 1, 4 and 5, title 2, and section 6, of title 4, and sections 5, 6, 7 and 10, of title 5, also by adding a section to said title, to stand as section 20, and sections 37, 38, and 40, of title 6, of an act to incorporate the city of East Saginaw, approved February 15, 1859, 461, 471, 482.
- To amend an act to incorporate the city of Ann Arbor, approved April 4, 1851, 461, 503, 514.
- To amend chapter 23 of the compiled laws, relative to obstructions and encroachments of highways, 473, 765, 802, 842.
- To change the name of the town of Fremont, in the county of Alpena, 473, 521, 552.
- To amend section 6, of chapter 87, of the revised statutes of 1846, being section 3343 of the compiled laws, 499, 536.
- To authorize the conveyance of certain portions of section sixteen, township one south, of range eleven west, in the county of Kalamazoo, 501, 504, 645.
- To amend section 33, of chapter 109, of the revised statutes of 1846, being section 4648 of the compiled laws, relative to partition of lands owned by several persons, 501, 504, 579, 584.
- To organize the township of Ka-go-che-wun, in the county of Emmett, 545, 630.
- To organize the township of Hamlin, in the county of Mason, 545, 566, 583, 586.
- To establish the county seat of Mason county, 545, 559, 564, 595.
- To organize the township of Wisner, 545, 559, 565.
- To attach certain unorganized territory to the county of Iosco, 546, 630, 646.

- Appropriating certain highway taxes, in the county of Shiawassee, for the improvement of the Cornua and Flushing State road, 546, 1042.
- To amend section 7, chapter 60, of the revised statutes of 1846, in relation to the sale of University and Primary School lands, 546, 590.
- To amend section 5 of an act entitled an act to provide for assessing property at its true value, and for levying and collecting taxes thereon, approved February 14, 1853, 546, 558, 564, 586, 830, 1008.
- To amend section 2 of an act entitled an act relative to the costs of proceedings in criminal cases, approved March 13, 1849, 546, 576.
- To repeal act No. 48, of session laws of 1859, appropriating certain non-resident taxes on a certain road therein named, 548, 962, 1078.
- To change the name of the township of Little Sauble, in the county of Mason, 548, 618, 645.
- To amend an act entitled an act to provide for the settlement and drainage of swamp lands by actual settlers, being act No. 229, of session laws of 1859, 573, 665, 727.
- To establish a mining school in the Upper Peninsula, 576, 591, 1066.
- To provide for an additional circuit court commissioner in certain counties, 593, 628, 789, 800, 1030, 1093, 1097.
- To authorize certain highways to be laid out less than four rods wide, 351, 596, 609.
- To amend an act entitled an act to re-organize the township of Garden Island, and to change the name of said township, 605, 618, 643.
- To authorize any township in the county of Allegan to levy a special tax for the improvement of the Kalamazoo river and harbor, 605, 622, 707, 735.
- To provide for holding inquests on the view of dead bodies within the cities of this State by the coroners of the counties in which they are situate, 605, 633, 649.
- To provide for the preservation of bridges in certain cases, 619, 643.
- To amend certain sections of an act to revise the charter of the city of Ypsilanti, approved February 15, 1859, 621, 784, 800.
- To provide for the registration of births, marriages and deaths, 636, 684, 890.
- For the continuation of an emigrant agency, and appropriation made therefor, 636, 726.
- To amend an act to provide for the sale of land by means of State



- and ditches, being act No. 117, of session laws of 1859, 636, 665, 714, 716, 741, 838.
- To organize the township of Bath, in the county of Muskegon, 636, 688, 730.
- To organize a school district of the Wayne county farm, and appropriate the public moneys for school purposes for the education of poor children, 636, 801, 803, 815.
- To provide for the formation of companies to construct canals or harbors, and improve the same, 637, 686, 826, 859.
- To amend an act entitled an act for the encouragement of agriculture, manufacture and the mechanic arts, approved March 16, 1849, and the act amendatory thereto, approved February 6, 1855, 667, 746, 802.
- To amend sections 1 and 2 of the act entitled an act to amend certain sections of an act to establish a house of correction for juvenile offenders, approved February 10, 1855, which act hereby amended was approved February 10, 1857, 667, 871, 1116.
- To authorize the Jackson county agricultural society to borrow money and mortgage certain real estate to secure the payment of the same, 669, 810, 853.
- To legalize a mortgage executed by the trustees of the First Congregational Society of Newark, 669, 728.
- Authorizing the trustees of the Methodist Episcopal Church of Muskegon, in the county of Muskegon, to mortgage their church edifice and lands, 669, 685, 732.
- To authorize the trustees of the Second Society of the Methodist Episcopal Church of Detroit to mortgage real estate, 669, 685, 731.
- To amend an act to authorize the conveyance of a certain lot in the village of Lansing, to the trustees of the Society of the Church of the United Brethren in Christ, in said village, approved February 4, 1859, 669, 840, 863.
- To amend an act entitled an act to amend section 1 of an act to incorporate the village of Hastings, approved February 13, 1855, 669, 728.
- To repeal an act entitled an act to amend an act entitled an act to reorganize the county of Emmet, approved February 13, 1858, 669, 830, 855.
- To provide for the manner of equalizing the assessment rolls by the board of supervisors of the county of Wayne, 669, 808, 849, 891.
- To extend the time for the collection of taxes in the township of Lyons, in the county of Ionia, for the year 1860, and to authorize the collection of the same, 690.
- To amend an act entitled an act to revise the charter of the

- city of Port Huron, approved February 15, 1859, 691, 761, 891, 933.
- To amend an act entitled an act in relation to free schools in the city of Detroit, approved February 7, 1857, 692, 748, 793.
- To provide for improving a certain State road from the village of Gaines, to the village of Flushing, in the county of Genesee, 692, 1035.
- To change the boundaries of the county of Houghton, and establish the county seat thereof, 692, 831, 857, 884, 934.
- To establish and organize the county of Keweenaw, 692, 831, 858.
- To organize the townships of Hancock and Bendry, in the county of Houghton, 692, 885, 933, 998, 1124.
- In relation to the collection of recognizances in criminal cases, 697, 705, 783.
- To authorize the formation of gymnastic associations, 713, 812, 936.
- To provide for the support and maintenance of a mining school in the Upper Peninsula, 724, 749, 804, 815, 856, 1098, 1108, 1122.
- To relieve observers of the seventh day of the week from the necessity of defending suits in violation of their consciences, 724, 746, 801, 815, 847.
- To amend chapter 79 of the revised statutes of 1846, (compiled laws, chapter 103,) by adding three new sections, numbered 54, 55 and 56, in relation to redemption against sales on executions, 724, 745, 801.
- To amend section 188, of chapter 117, of the compiled laws, in relation to appeals from justices' courts, 724, 746, 802.
- To amend an act entitled an act to organize the Michigan Asylum for the Insane, and more effectually to provide for the care, maintenance and recovery of the insane, 725, 832, 857.
- To amend chapter 150 of the revised statutes of 1846, being chapter 175 of the compiled laws, 725, 807, 849, 862.
- To authorize the Marshall and Ionia Plank Road company to discontinue a portion of their road, and for other purposes, 784, 837, 858.
- Changing the name of the township of Newark, in the county of Allegan, to that of Saugatuck, 784, 800.
- To reduce the capital stock of the president, directors and company of the Peninsular Bank, 796, 811, 850.
- To incorporate the village of Muskegon, 812, 839, 861.
- To incorporate the village of Lowell, 813, 839, 861.
- To provide for the draining of swamps, marshes and other low lands, 813, 880, 933.
- To incorporate the village of Decatur, 813, 839, 860.

- To amend section 1 of an act entitled an act to amend chapter 150, of the revised statutes of 1846, it being chapter 175 of the compiled laws, and to authorize the salaries of judges of probate, 813, 840.
- In relation to assessments, and to compel assignees to give security, 814, 939.
- To amend sections 3 to 11 inclusive, of chapter 100, of the revised statutes of 1846, sections 4188 to 4196 inclusive, of the compiled laws, relative to referees, 814, 829.
- To amend an act entitled an act to incorporate the city of Lansing, approved February 15, 1859, 814.
- Making the action of trespass transitory in certain cases, 814, 819, 854.
- To prevent the adulteration of coal oil, 814, 883, 934.
- Authorizing the Auditor General to issue second tax deeds in certain cases, 815, 818, 854.
- To apportion anew the representatives among the several counties and districts of this State, 841, 866.
- To organize the county of Delta, and define the boundaries of the same, 841, 862, 865.
- To authorize boards of health to dispose of real estate, 912, 940, 1076.
- To provide for laying out and establishing highways on lines dividing this from other States, 913, 993, 1077.
- To amend sections 4742, 4747, 4748 and 4771 of the compiled laws, relating to proceedings against debtors by attachment, 913, 941, 1074.
- To amend and add to chapter 132, of compiled laws, entitled of homestead exemptions, 913, 941, 1075.
- To provide for the organization of the Homeopathic branch of the University of Michigan, 913, 941, 987, 1071.
- Making appropriations for the support of the State Normal School, 914, 1028, 1109.
- To organize the county of Bleecker, 914, 959, 1031.
- To protect the owners of sheep from damage done by dogs, 914, 958, 1018.
- To provide for the floating of logs and timber, in the streams of this State, 914, 962, 1076, 1107, 1110.
- To restore certain sections of land to the township of Cottrellville, in the county of St. Clair, 914, 993, 1078, 1117.
- To authorize religious, eleemosynary and other corporations, not municipal, to sell, convey, exchange or mortgage real estate for certain purposes, 915, 940, 1068.
- To repeal chapter 122 of the revised statutes of 1846, and the amendments thereto, and to provide for the collection of demands against water craft, 920, 1061, 1106.

- To attach the county of Manitou to the county of Mackinac for certain judicial purposes, 970, 1044, 1087.
- Amending sections 3, 13 and 25, of chapter 150 of compiled laws, relating to conferring upon justices of the peace jurisdiction in case of forcible entry and detainer, and for a detainer only, 970, 1039, 1087, 1088.
- To provide for the drainage and reclamation of swamp lands by means of State roads and ditches, 970, 982, 996, 1000, 1055.
- To provide for the construction of State roads in the Upper Peninsula, 974, 1055.
- To confer certain powers upon the board of supervisors of the counties of Marquette and Chippewa, 997, 1044, 1102.
- Giving to lumbermen a lien on logs for their personal services, 997, 1038, 1093.
- To prevent fishing with seines, nets and spears, in the lake known as Devil's lake, and Round lake, in Lenawee county, 998, 1059, 1097.
- In relation to issuing of capiases, in criminal proceedings, 999, 1041, 1085.
- To amend sections 14 and 16, and to repeal section 15, of chapter 134, of the compiled laws, relating to the action of ejectment, 998, 1041, 1086.
- To amend sections 190 and 211, of chapter 117, of the compiled laws, in relation to appeals from justices' courts, 998, 1087, 1084.
- Giving to circuit courts jurisdiction by information, in the return of a quo warranto, in certain cases, 998, 1040, 1087.
- To provide for the preservation of the Muskegon river improvements, and to authorize tolls for the same, 999, 1034, 1073.
- To provide for the purchase of a collection of the township laws of this State, 999, 1043, 1103, 1106.
- Appropriating certain highway taxes for the improvement of a road in the counties of Eaton and Ionia, 1000, 1027, 1079.
- To regulate fisheries in the waters of the State of Michigan, 1000, 1027, 1088, 1120.
- To amend section 818 of the compiled laws, to extend the time for completing tax rolls in the several townships, 1000, 1077, 1067.
- To amend section 23, of chapter 106 of the revised statutes of 1846, being section 4461 of the compiled laws, in relation to sales of goods on execution pledged by way of mortgage, 1001, 1037, 1080.
- To provide for the erection and maintenance of shutes for the passage of fish, through the dams across the streams of the State, 1001, 1027, 1079.

- Authorizing the Auditor General to pay Robert P. Sinclair the money received for the redemption of land sold for taxes, 1001, 1060.
- To amend sections 3, 4, 6 and '12, of an act entitled an act authorizing the commissioners of highways of townships to to establish water courses, and locate ditches, in certain cases, approved February 18, 1859, 1001, 1046, 1092.
- To legalize a certain highway in township number 4 south, range number 7 west, 1001, 1067.
- To amend section 2, chapter 119 of the revised statutes, being section 3967 of the compiled laws, 1002, 1041, 1110.
- To prevent officers and clerks in the State Land Office from purchasing lands while in the employ of the State, 1002, 1037, 1109.
- To amend section 63, of chapter 60 of the revised statutes of 1846, being section 2505 of the compiled laws, relative to trespasses on the public lands, 1002, 1067.
- To regulate proceedings in certain cases of nuisance, 1002, 1034.
- To provide for the expenses of the trial of persons holding, or who have held State offices, for malfeasance in office, 1003, 1040, 1086.
- To amend chapter 17, of the compiled laws, and an act amendatory thereto, approved February 4, 1858, by adding a new section thereto, to be numbered section 159, 1003, 1039.
- To provide for the better security of mechanics and others, erecting buildings in this State, 1004, 1042, 1085.
- To attach certain unorganized territory to the county of Marquette, 1004, 1044, 1108.
- Vesting with police powers, marshals and their deputies, at State and county fairs, 1004, 1038, 1081.
- To provide for referring orders in chancery, 1004.
- To provide for a female college, as a branch of the University of Michigan, 1005, 1047.
- To provide a military force, 1006, 1036, 1092.
- To authorize proceedings by garnishment in the circuit court and the district court of the Upper Peninsula, 1019, 1042, 1105.
- To amend act No. 255 of the laws of 1859, approved February 15, 1859, entitled an act for laying out and establishing a State road from Midland city, in the county of Midland, to St. Charles, in the county of Saginaw, 1020, 1104.
- To provide for establishing and preserving section and quarter post corners on the United States survey, 1020, 1048, 1094.
- To amend section 3, of act No. 152 of session laws of 1859, for

laying out and establishing a State road in Saginaw and Genesee counties, 1020, 1098.

To amend an act entitled an act to prevent fishing with seines and every kind of nets in certain counties in the State of Michigan, approved February 15, 1859, 1021, 1048.

To attach certain territory in the county of St. Clair, to the township of Port Huron, in said county, 1021, 1045.

To authorize the trustees of the Grass Lake Baptist Society of the township of Grass Lake, in the county of Jackson, to convey certain real estate to school district No. 9, of said township, 1021, 1079.

To amend an act entitled an act to incorporate the city of Jackson, approved February 14, 1857, 1025, 1110.

To amend section 1 of an act entitled an act appropriating certain highway taxes for the improvement of a road in the counties of Saginaw, Tuscola, Genesee and Lapeer, 1035, 1107.

To amend chapter 10 of the compiled laws, in relation to certain duties and compensations of county surveyors, 1025, 1038, 1096.

Entitled an act to amend act 144 of the session laws of 1849, being an act to amend act No. 21 of session laws of 1853, it being an act to amend act No. 63 of session laws of 1857, entitled an act to lay out and establish a State road in the counties of Sanilac and Tuscola, 1025, 1036, 1102.

To amend sections 11, 12 and 13, of chapter 22 of the compiled laws, relative to laying out, altering or discontinuing public roads, 1025.

To amend an act entitled an act to provide for laying out a State road in Ionia, Kent and Barry counties, approved February 12th, 1859, 1026, 1036, 1121.

To amend an act entitled an act further to preserve the purity of elections, and guard against the abuses of the elective franchise, by a registration of electors, 1065, 1089, 1095.

#### SENATE JOINT RESOLUTIONS—ACTION THEREON.

Relative to the reciprocity treaty, 15, 27, 59, 66, 76, 116, 136, 158.

To provide for the amendment of the general banking law, 25  
For the relief of John Skidmore, 28.

Relative to secession, 32.

Relative to the suit of this State against the Pœnix Bank, of the city of New York, 38, 50, 53, 79, 98, 158.

On the state of the Union, 38, 47, 69, 71, 94, 105, 109, 113, 116, 119, 137, 138, 152, 168.

To authorize the Board of State Auditors to audit and allow the claim of William Beard, in the matter of the improvement of

- navigation over the sand flats of the Muskegon river, and to authorize the Auditor General to draw his warrant on the State Treasurer for such amount as may be allowed, 127, 144 315, 319, 479, 578, 654, 701, 740, 920, 927, 1133.
- Proposing an amendment to section 2, article 6, of the constitution of Michigan, relative to the number of judges of the Supreme Court, and their terms of office, 164, 300, 313.
- To provide for the printing and distribution of the report of the State Geologist, 238, 241, 321, 352, 352, 460.
- Providing for an amendment of the constitution so as to empower the Governor to remove from office, in certain cases, defaulting public officers, 52, 64, 86, 178, 218, 230, 1062, 1130, 1135.
- Authorizing the State Treasurer to provide for the interest due upon the bonds of the State, in July and January next, and to pay the interest thereon, and upon the floating debt of the State, 187, 292, 301, 352, 392, 460.
- Relative, to sending Commissioners to confer with similar Commissioners from Virginia and other States, to assemble at Washington, on the 4th day of February, A. D. 1861, 254, 255, 271, 272.
- Relative to the election of Commissioners to represent the State of Michigan in the conference convention now in session at Washington, on the state of the Union, 323.
- That the names of the State officers, Legislature, &c., shall be prefixed to the publication of the laws, 333, 342.
- For the relief of Preston Mitchell and John L. Mitchell, 338, 492, 583, 585.
- To provide for an amendment of the Constitution so as to authorize the establishment of a State Bank, with branches, or some general system of banking, 345, 361, 490, 593.
- Appropriating the tolls of the St. Mary's canal to the payment of the amount due counties for taxes assessed on canal lands, 441, 455, 711, 786, 926, 1082.
- Relative to the Agricultural College, 470, 575, 607, 631, 770.
- Authorizing the Commissioner of the State Land Office, to adjust with the general government the conflicting claims existing between the General and State governments in relation to the several land grants made to this State, and secure patents for all unsettled balances due this State, 478, 592, 595, 641, 650, 694, 732.
- Authorizing the State Treasurer to charge certain items to suspense account, 496, 506, 562, 697, 812, 1082.
- Authorizing the Commissioner of the State Land Office to issue certain certificates of land, 508, 632, 651, 1051.
- Appointing Francis A. Artault emigrant agent in Paris, France, 509, 545, 632, 648, 785, 926, 1082.

For the relief of Warren Thompson, Sidney Green, John Stuart, Richard Peters, Charles Dean and T. G. Barker, 509, 535, 602, 704, 1090, 1128.

Proposing amendments to section 1, of article 7, of the Constitution of this State, relative to elections, 543.

To provide for an amendment to the constitution, 544, 571.

To remove the capital after 1866, 556.

To provide for amendments of article 15, sections 1, 2 and 4; article 13, section 6; article 19, section 6; and article 20, section 2, of the Constitution of the State of Michigan, 561, 567, 597, 612, 625, 674, 771, 971, 1113, 1132, 1138.

For the settlement of claims for Webster's Dictionaries furnished to the school districts under the provisions of an act approved February 17, 1857, 617.

Authorizing employment of counsel in case of the prosecution of John McKinney, 632.

#### HOUSE JOINT RESOLUTIONS—SENATE ACTION THEREON.

For the relief of Robert W. Cummings, 62, 90, 93, 100.

Relative to the state of the Union, 125, 131, 137, 138, 152, 200, 265, 268.

For the transfer of certain scientific works from the State Library, to the library of the University, 238, 298, 302, 314, 339.

In regard to the renewal of the patent of McCormick's reaping machine, 238, 286, 291.

Instructing our Senators and requesting our Representatives in Congress to oppose certain amendments to the Constitution, 463.

Relative to compensation of the firemen for the House of Representatives, 473, 896, 994, 1043.

For the relief of the Detroit locomotive works, 913, 926, 935.

Authorizing the common council of the city of Lansing to use a portion of a street therein, for purposes of the fire department of said city, 1023, 1080.

#### SENATE CONCURRENT RESOLUTIONS.

Adopting rules of last Legislature, 8.

Instructing committee on printing to prepare and cause to be published a Manual, 13, 33.

Authorizing committee on printing to act as a joint committee in procuring the translation and printing of the Governors' Messages, 17, 28.

Relative to the investigation of the Treasury Department and the official acts of John McKinney, 24, 29, 165, 173, 201, 212, 280.



- Relative to number of bills ordered printed, 28, 34.
- Approval of the course of Major Anderson, at Fort Sumpter, 31.
- Approving the action of Gen. Cass in resigning his seat in the Presidential Cabinet, 38.
- Empowering committee to visit State Prison, 51, 56, 61.
- Granting leave to joint committee to visit the Asylum for the Deaf, Dumb and Blind, 65, 79.
- Relative to joint committee on mines and minerals, 75.
- Relative to the Manual, number of copies, 80.
- Relative to adjournment for a few days, 232.
- Inviting the President elect to visit the capital of this State, 261, 390.
- For a joint committee to report amendments to the Constitution, 412, 436.
- Relative to final adjournment, 493, 642, 693.
- Relative to a joint convention, and the reading of Washington's Farewell Address, 505, 572.
- Authorizing Secretary of State to furnish compiled laws to the county of Ionia, 552, 696.
- Directing Secretary of State to send laws, resolutions and documents to members and officers of the Legislature, 609, 619.
- Recommending contributions for the relief of Kansas, 787, 910.
- Relative to joint convention to consider nominations of the Executive, 995, 1005.
- Authorizing Secretary of the Senate and Clerk of the House to compile, make indexes, and superintend the publication of journals and documents, 1028, 1070.
- Ordering extra copies of the highway law printed, for distribution to townships, 974, 1055, 1062.
- Directing Secretary of the Senate and Clerk of the House to send remaining journals to members, &c, 1115, 1119.
- Requesting the courts of the State in relation to sentences, 1127.

## HOUSE CONCURRENT RESOLUTIONS.

- Relative to the joint committee for the investigation of the Treasury department, 173.
- Authorizing judiciary committees of both Houses to act jointly on the memorial praying for the removal of Hon. Wilbur F. Woodworth, as Circuit Judge of the tenth circuit, 244, 260.
- Authorizing Attorney General to employ counsel, in aid of the prosecution of John McKinney, 550, 651.
- Directing Secretary of State to send laws and documents to members and officers of the Legislature, 721.
- Inviting the President elect to visit the State, 7

## SENATE RESOLUTIONS.

- Authorizing officers to appoint assistants, 5, 6.  
Appointing committee to inform the House of the organization of the Senate, 6.  
Inviting clergymen to officiate as chaplains, 6.  
Adopting rules of last session, 7.  
Instructing Secretary to furnish the Manual of 1859, 7.  
Authorizing the President to appoint messengers and firemen, 7.  
Authorizing supply of stationery for members, committees and officers, 7, 15, 17.  
Instructing Enrolling Clerk relative to the appointment of an Assistant, 8.  
Appointing joint committee to wait upon the retiring and acting Governors, and notify them of the organization, 8.  
Instructing Secretary to order extra copies of the journal, 8.  
Relative to the hour of meeting, 8.  
Granting use of Senate Chamber on the Sabbath, to Universalist Society, 9.  
Proposing amendment of rule 27, 10.  
Instructing State Printer to transmit journals to newspapers, 11.  
Instructing Secretary in relation to Chaplains, 13.  
For the appointment of a committee on division of subjects embraced in Governors' messages, 14.  
Ordering Governors' messages printed in several languages, 16.  
Directing State Printer to print certain reports; also, list of standing committees, 17.  
Relating to day of fasting, &c, 19, 20.  
Relative to the number of journals, 25.  
Directing Secretary to furnish State officers the daily journals, 26.  
Relative to diagrams and manual, 28.  
Instructing committee to report relative to the law providing for the payment of the Board of Control of Sault Ste Mary's Canal, 32.  
Inviting Judges of Supreme Court to seats within the bar, 35.  
Requesting committee to report relative to debts due the State from the counties, 35.  
Relative to thermometers and clock, 38.  
On secession, 39.  
Relating to bills for division of State into Congressional Districts, 46.  
Relative to changing names, 46.  
Authorizing Secretary to appoint a messenger, 51.  
Instructing committee to report relative to duties of Judges of Probate, 57.

- Requesting Sergeant-at-Arms to ascertain what disposition has been made of the maps and other property of the Senate, 63.
- Granting leave to committee to visit Asylum for deaf, dumb and blind, 64.
- Relative to the printing of Prof. Fisk's lecture on Agriculture, 80.
- Instructing committee on the judiciary to examine and report relative to the protection of persons from unlawful claims to service, 91.
- Instructing committee on mines and minerals to report as to the propriety of further legislation for the development of mineral interests, 91.
- Relative to the personal liberty laws, 102, 104.
- Proposing a new rule, relative to proceedings in committee of the whole, 117.
- Authorizing committee on the judiciary to employ a clerk, 125.
- Requesting Secretary of State to furnish a statement of the population of the State, by townships, 126.
- Relative to proofs of the violation of the charter of the Jackson and Michigan Plank Road Company, 147.
- Relative to the appointment of a Reporter, 159.
- Instructing committee on State Prison, 174.
- Instructing committee to report the amount of money and lands appropriated to the construction of State roads, 174.
- Ordering extra copies of the report of the committee on finance, 205.
- Relative to the punishment of treason against the State, 238.
- Relative to the Jackson and Michigan plank road company, 239.
- Instructing committee to procure report of the President of the University, &c., 293.
- Requesting Commissioner of Land Office to report in relation to trespasses upon the State lands, the amount received therefor, &c., 339.
- Relating to John McKinney, 351, 357, 358, 369, 765, 787.
- Requesting the State Treasurer to inform the Senate of the amount of specific tax paid by mining companies, from 1849 to 1860, 391.
- Requesting Auditor General to report the amount of internal improvement land appropriated for the specific objects of the grant, 394.
- Limiting the time of speaking, 417, 607, 825.
- Relative to the election of President *pro tem.*, 437.
- Relative to the constitutional requirement of a sinking fund, 437.
- Instructing committee on the judiciary to report upon the constitutionality of guaranteeing U. S. bonds on account of the distribution of surplus revenue to this State, 438.

- Granting leave for the withdrawal of the petition of A. B. Allen, E. P. Bliss, and others, 439.
- Relative to the hour of meeting, 480, 545.
- Requesting judiciary committee to report a form for warrant of commitment in criminal cases, 496.
- Relative to the interpretation of Hon. J. F. Joy's report in the journal of the House, 510.
- Relative to the appropriation of swamp lands, 511.
- Suspending the rules requiring notice of bills, 511.
- Relative to "fire in the rear," 608.
- Requesting Commissioner of Land Office to furnish statement of receipts for the sale of swamp lands, 613.
- Instructing committee on supplies to take care of the furniture of the Senate, 1055.
- Instructing committee on supplies to allow reporters for the daily press, stationery, 1116.
- Authorizing committee on enrollment to procure assistance, 1116.
- Tendering thanks to the President, 1124.
- Tendering thanks to the President *pro tem.*, Secretary, and other officers of the Senate, 1125.
- Tendering thanks to the State Printers, 1125.
- Tendering thanks to messenger boys, 1125.
- Tendering thanks to the citizens of Lansing, 1126.
- Tendering thanks to the clergy, 1127.

#### MISCELLANEOUS.

- Assistant Secretary, appointment of, 18.
- Assistant Sergeant at-Arms, appointment of, 12.
- Annual reports of State officers, authorizing printing of, 17.
- Asylum for deaf, dumb and blind, report on, 327.
- Asylum for the insane, report on, 402.
- Board of Agriculture, report on, 428.
- Banking, report on, 345, 486.
- Congressional and Senatorial districts, special committee on, 41.
- Coulter, Joseph, sworn in as Senator, 33.
- Committees, standing, appointment of, 16.
- Detroit, report on changing boundary of, 781 ; report on assessing property of, 808 ; Savings Institute, condition of, 32.
- Elective franchise, memorial, 835.
- Election of Secretary, 4 ; of Enrolling Clerk, 5 ; of Sergeant-at-Arms, 5 ; of President *pro tem.*, 483.
- Fasting, humiliation and prayer, resolution relative to President's Proclamation, 19-20.
- Finance, appointment of, 27.
- Finance, report on, 11.

Female College, invitation to attend exhibition of junior class, 358.  
 German Seminary, report on, 521.  
 Governors' messages, printing of, 11; committees on, 18; reference of, 22, 23, 24, 36, 37.  
 Historical Society, memorial of, 556.  
 Homeopathy, reports on establishing a chair of, in the University, 942, 987.  
 Internal Improvement lands, amount appropriated, 425.  
 Interest, (see "Usury.")  
 John McKinney, appointment of special committee of investigation, 29.  
 Kansas Legislature, memorial of, 599.  
 Lansing, report on bill to amend charter of, 763.  
 Light Houses, communication in relation to, 822.  
 Messengers, appointment of, 27.  
 Muskegon river improvement, report on, 315.  
 Names of Senators and No. of districts, 3, 4.  
 Opening of session, 3.  
 President *pro tem*, election of, 483; address of, 484.  
 Resolutions of New York, tendering aid to the President of the United States, 101.  
 Resolutions of Virginia, relative to a conference of the States, 197, 212.  
 Reciprocity Treaty, report on, 41.  
 Secession, concurrent resolutions on, 39.  
 Salt, special committee on, 41; reports on, 871, 903.  
 State of the Union, report on, 67.  
 State Prison, report on, 381.  
 School tax, report on, 524.  
 Swamp lands, report on, 406; receipts for, 666.  
 Suspense account, items received from John McKinney, 1120.  
 University, memorial of regents, 657; report on interest fund, 832.

# PETITIONS, MEMORIALS AND RESOLUTIONS.

by Mr. Adair, 516, 655.  
 Backus, 179, 312, 345, 443, 614, 626, 745, 866, 986.  
 Bailey, 148, 296, 516, 558.  
 Baker, 111, 209, 217, 269, 360, 422.  
 Baldwin, 13, 41, 84, 85, 169, 217, 295, 304, 359, 423, 443, 616, 556, 580, 655, 684, 745.  
 Briggs, 78, 169, 235, 485.  
 Brown, 96, 169, 344, 829,  
 Butterfield, 60, 235, 313.  
 Carpenter, 41, 60, 110, 160, 217, 344, 442, 466, 705.

**By Mr. Coulter, 60, 284, 344.**

DeLand, 12, 41, 60, 67, 78, 84, 110, 139, 140, 147, 148,  
160, 170, 208, 245, 295, 465, 602, 655, 829.

French, 378, 654, 684, 745.

Gale, 443, 866.

Galloway, 400, 423.

Hazen: 235, 313, 807.

Ingersoll: 110, 159, 217, 235, 245, 269, 278, 293, 295,  
312, 345, 422, 466.

Jones: 30, 133, 179, 614.

Lacey: 359.

Lane: 77, 122, 140, 217, 345, 443, 485, 614, 781.

McDermid: 148, 170, 295, 304, 305, 313, 422, 601, 626,  
806.

Monroe: 30, 344, 359, 423, 602, 781.

Mulholland: 423, 484, 580, 626, 781.

Near: 49, 705, 807.

Owen: 148, 580, 807.

Stout: 132, 325, 400, 614, 626, 655.

Strickland: 60, 132, 148, 160, 312, 400, 465, 614.

Tower: 140, 148, 179, 217, 269, 344, 484, 485, 626.

Webb: 781.

Wilder: 110, 170, 180, 295, 296, 325, 359.

Williams: 78, 180, 217, 284, 295, 345, 400, 443, 580, 614.

Withey: 60, 84, 111, 179, 360, 378, 466.

**By the President: 122.**

# **I N D E X**

TO THE

## **EXECUTIVE JOURNAL.**

---

**Asylum for the Deaf, Dumb and Blind, nomination for Trustee of, 1170.**

**Asylum for the insane, nomination for Trustees of, 1170.**

**Notaries public, nominations for, in the counties of,**

**Allegan, 1146, 1153, 1172.**

**Alpena, 1153.**

**Barry, 1147, 1163, 1172.**

**Bay, 1146, 1153, 1164, 1172.**

**Berrien, 1164, 1172.**

**Branch, 1147, 1153, 1164, 1172.**

**Calhoun, 1144, 1147, 1154, 1164, 1172.**

**Cass, 1144, 1147, 1154, 1165, 1172.**

**Cheboygan, 1172.**

**Chippewa,**

**Clinton; 1147, 1154, 1165, 1172.**

**Delta, 1173.**

**Eaton, 1147, 1154, 1165, 1173.**

**Emmett, 1173.**

**Genesee, 1147, 1154, 1165, 1173.**

**Gladwin,**

**Grand Traverse, 1144, 1155, 1173.**

**Gratiot, 1147, 1155, 1165, 1173.**

**Hillsdale, 1144, 1147, 1155, 1165, 1173.**

**Houghton, 1148, 1155, 1165, 1173.**

**Huron, 1144, 1148, 1173.**

**Ingham, 1145, 1155, 1165, 1174.**

**Ionia, 1148, 1155, 1166, 1174.**

**Isabella, 1155, 1174.**

**Jackson, 1144, 1148, 1155, 1166, 1174.**

**Kalamazoo, 1144, 1148, 1156, 1166, 1174.**

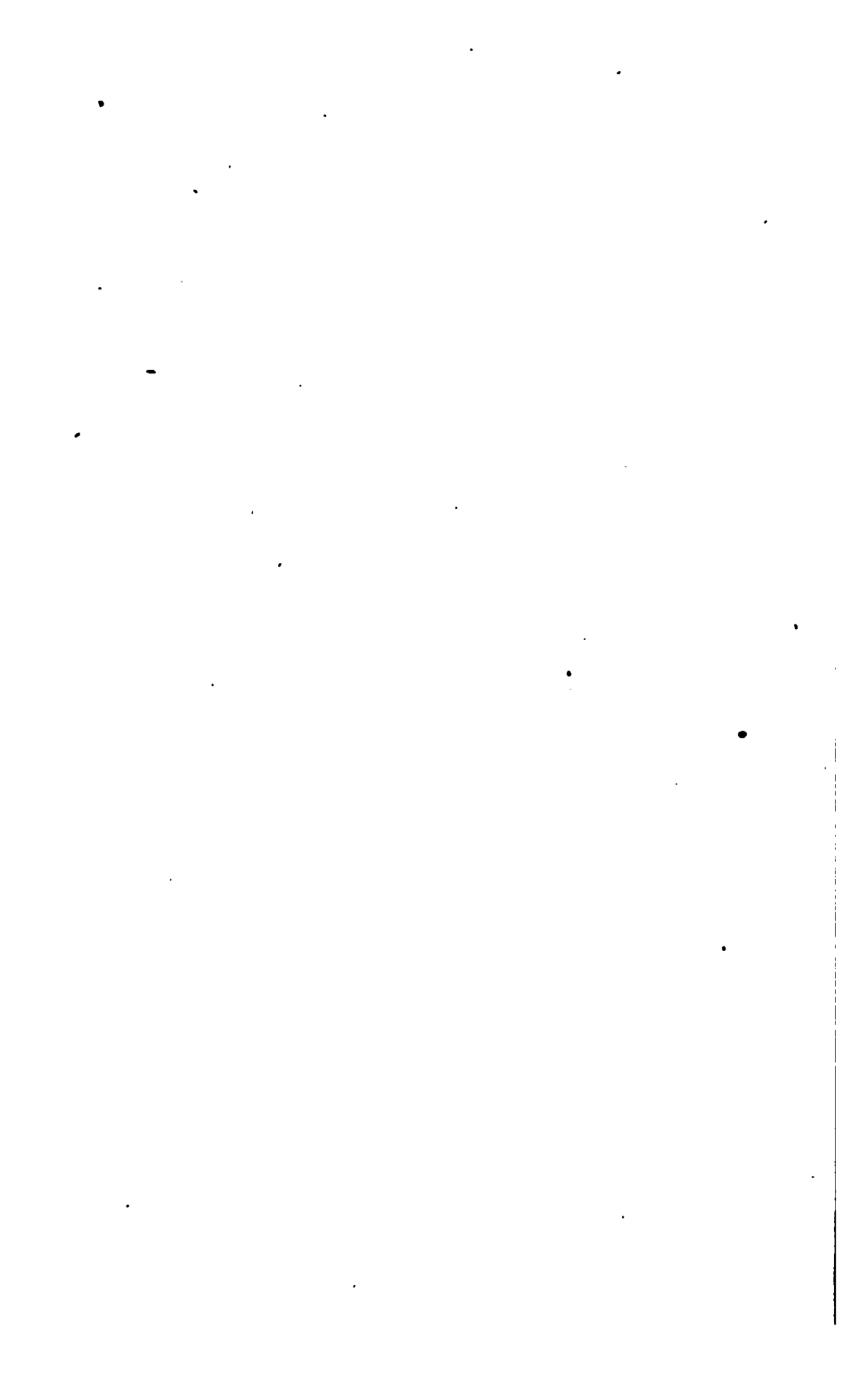
**Kent, 1148, 1149, 1156, 1166, 1174.**

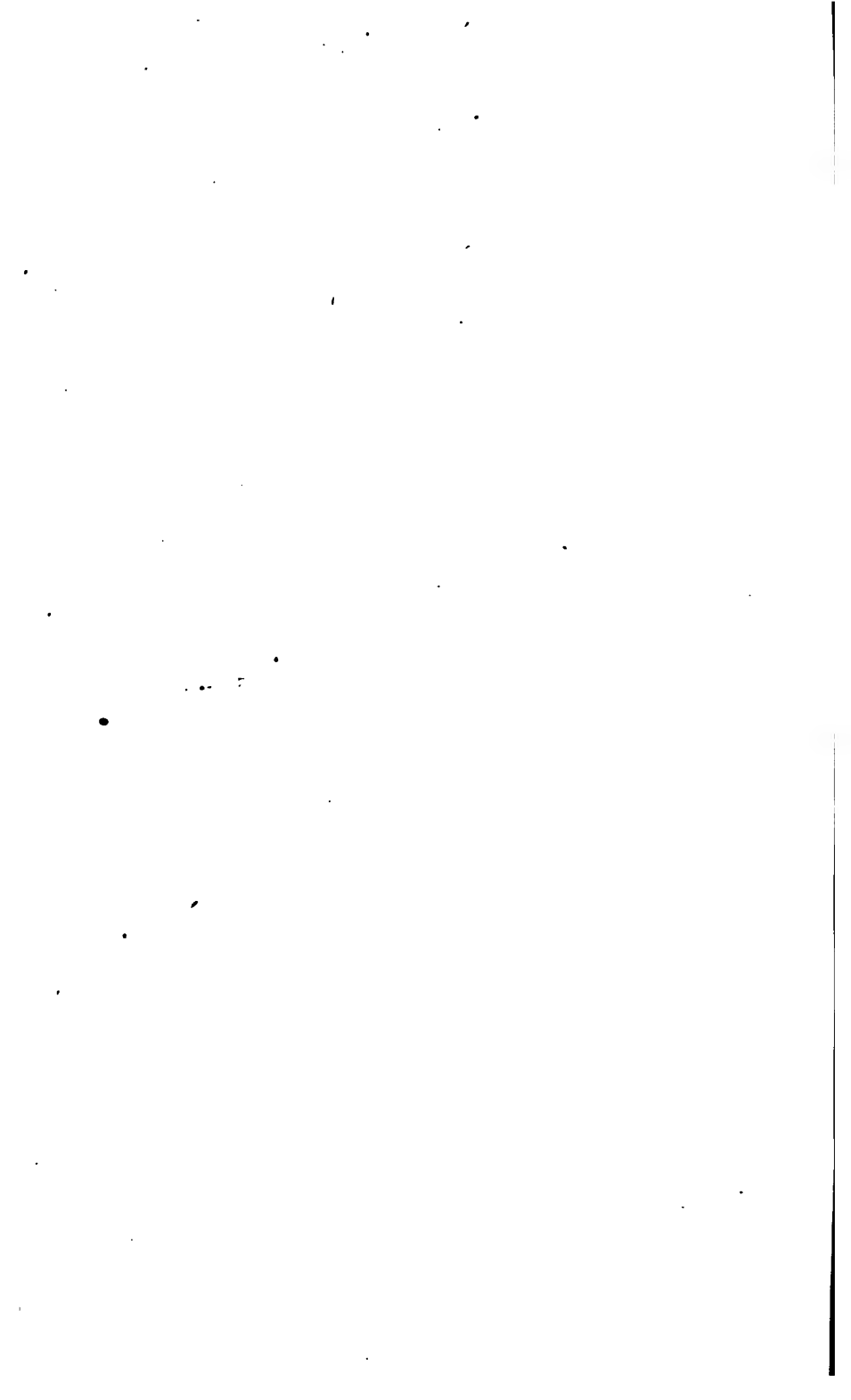
**Lapeer, 1149, 1174.**

**Leelanaw, 1144, 1166, 1175.**

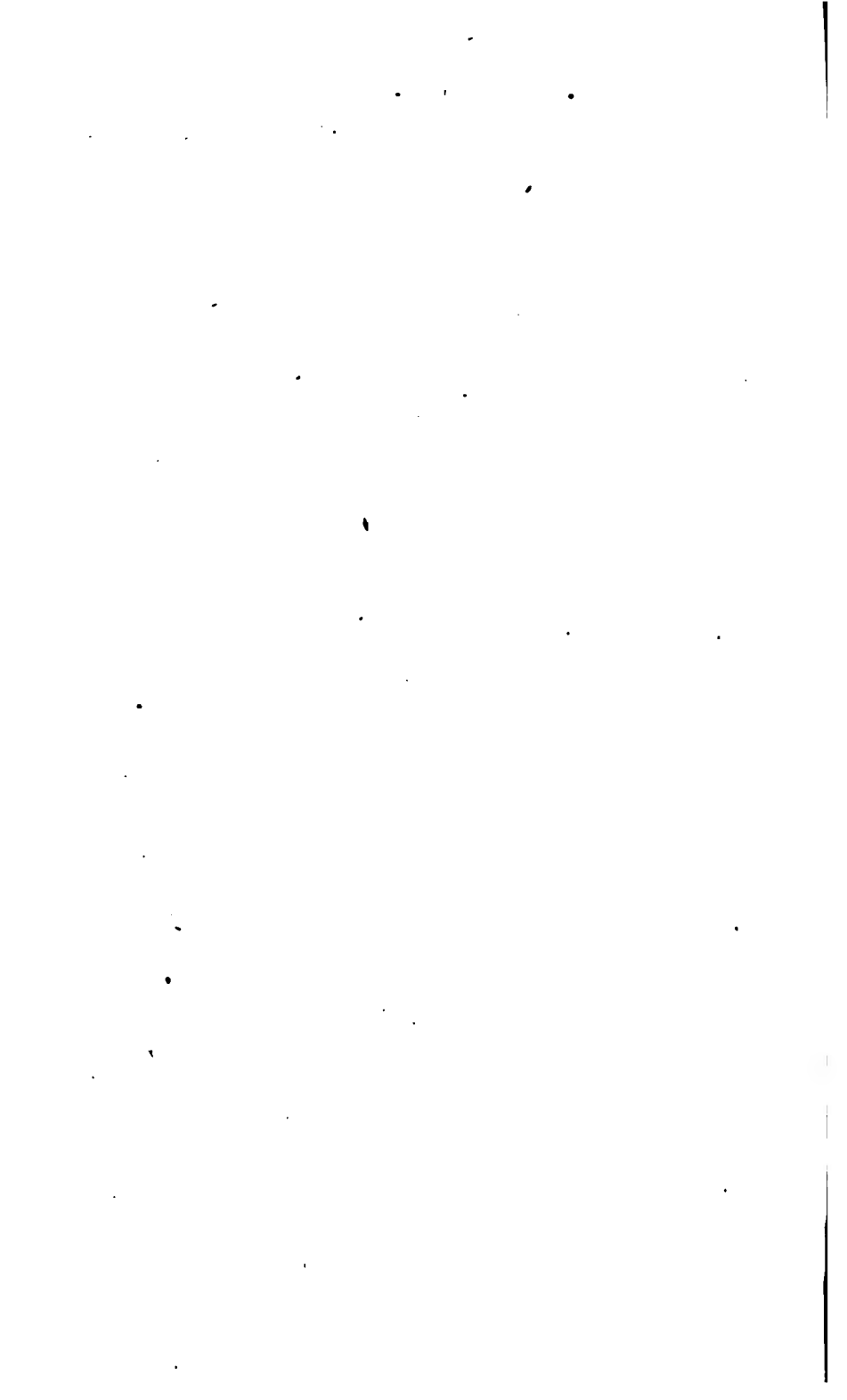
**Notaries Public, nominations for, in the counties of,****Lenawee, 1145, 1149, 1156, 1166, 1175.****Livingston, 1145, 1149, 1157, 1166, 1175.****Macomb, 1149, 1166, 1175.****Manistee, 1144, 1167, 1175.****Manitou, 1175.****Marquette, 1145, 1167, 1175.****Mason, 1175.****Mecosta, 1149.****Midland, 1157, 1167.****Monroe, 1149, 1167, 1175.****Montcalm, 1145, 1150, 1157, 1167, 1176.****Muskegon, 1176.****Newaygo, 1150, 1167, 1176.****Oakland, 1144, 1150, 1157, 1167, 1176.****Oceana, 1176.****Ontonagon, 1150, 1167, 1176.****Ottawa, 1144, 1150, 1167, 1176.****Saginaw, 1144, 1150, 1157, 1167, 1176.****Sanilac, 1144, 1168.****Schoolcraft,****Shiawassee, 1150, 1157, 1168, 1177.****St. Clair, 1150, 1168, 1177.****St. Joseph, 1150, 1168, 1177.****Tuscola, 1168, 1177.****Van Buren, 1144, 1151, 1158, 1168, 1177.****Washtenaw, 1143, 1151, 1158, 1168, 1177.****Wayne, 1143, 1151, 1158, 1168, 1177.****Reform School, nominations to the Board of Control of, 1160, 1171.****Railroads, nominations of Commissioners of the Board of Control of, 1171.****St. Mary's Falls Ship Canal, nomination of Superintendent of, 1160.****State Librarian, nomination of, 1162.****State Prison, nomination of Agent of, 1160; nomination of Inspectors of, 1162.**











# **STATE OF MICHIGAN.**

**Joint Doc. No. 1.**

**LEGISLATURE, 1861.**

**[EXTRA SESSION.]**

---

## **GOVERNOR'S MESSAGE.**

*Fellow-Citizens of the Senate and House of Representatives:*

Under the authority vested in the Executive by the Constitution of the State, I have summoned you together in extra session upon the most extraordinary occasion which has had existence since the formation of the Federal Government.

African slavery, the great and only disturbing element in our institutions, after having ruled the country for sixty years, and during that time driven the free States from one humiliating concession to another, until they had fairly reached the wall, and from the mere instinct of self-preservation refused to go further, has dropped the mask and taken up arms. Grown overbearing from its former successes, and insolent through its long cherished pride and disregard of the rights of men, it now seeks to make its power predominant over the whole country by force. Having been beaten in an election, it deliberately nullifies the Constitution, defies the laws, confederates in a pretended form of government, raises armies, besieges and takes a fortress, marches boldly upon the National Capitol to unseat the lawfully

elected President of the Republic, and makes its final appeal to the arbitrament of battle. It has left us no choice but to surrender our free government or fight for its preservation. In that choice a brave and loyal people could not hesitate. The President of the United States, occupying the chair of Washington, by the same right and under the same solemn forms by which the Father of his Country held it, has accepted this issue. He has unfurled the flag under which all our history has been made, and summons the loyal sons of the heroic founders of the government in arms to defend it. He will fight to maintain the Constitution and the Union, and the whole people of the loyal States with one voice have affirmed the wisdom, the justice, and the patriotism of that determination.

In this sacred war, for it is nothing less, the people of Michigan desire to do their whole duty, and it is for us, their chosen representatives, to provide the means and lead the way.

On the evening of the 15th of April last, I received a telegram from the War Department at Washington, that a call was made upon me, as Commander-in-Chief, for one regiment of the militia of the State for immediate service. On the next day, however, I was informed from the same source, that if the quota of Michigan should be ready by the 20th of May, that would suffice. Immediately upon receiving these dispatches, I issued my proclamation to the people of the State for volunteers to form two regiments of infantry, in pursuance of the law of your late session, authorizing the organization of two regiments to meet such a call. That law had this strange omission, that while it provided for raising the regiments and paying the volunteers and officers at certain fixed prices, it did not appropriate so much as one dollar to meet the expenses to be incurred by virtue of its provisions. It, therefore, became necessary to seek outside of the statutes, means to defray the expenses of recruiting, arming, equipping and uniforming the regiments. This was done by an appeal to the patriotic people of the State to advance the money as a temporary loan, trusting to the justice of the Legislature for its prompt repayment. That resource

was found amply sufficient, and I desire now, on behalf of the whole people of the State, in this public manner to thank those public-spirited gentlemen who came forward with such promptness to aid me with their money and their advice in that emergency. You, gentlemen of the two Houses, will take care that no man suffers in the smallest degree in consequence of his generosity in that respect.

The people answered the call for volunteers with such enthusiasm and alacrity as will forever be an honor both to them and the government under which we live. In just nine days from the time when the call of the President was received, the ten companies, composing the first regiment, were full, and the officers commissioned; and in one day more the second regiment was in like manner organized. On the 30th day of the same month of April, both the regiments were in camp in Detroit, in good order and in fine condition.

When it is taken into account that at the time the President called for one regiment of Infantry from Michigan there was not anything like a full regiment in the State, nor even a single company with the full complement of men required by the call, and that there was no money in the Treasury, that could be used for military purposes, I am more than satisfied with the progress made.

For a more detailed account of the present condition of the military forces, I refer you to the report of the Adjutant General, John Robertson, which will be laid before you, and of whose efficiency I have occasion to speak in the highest terms.

In the choice of companies to compose the first and second regiments, some embarrassment was felt in consequence of the great competition between them, to be included therein, arising chiefly from the fact that many of our fellow citizens either did not understand the statute under which we were acting, or in their zeal refused to recognize its justice. That statute left me no discretion, but absolutely required me to select first such companies of the uniformed militia of the State as might be offered, and these were nearly sufficient to answer the entire call.

The people, however, will not be satisfied with the two regiments provided for by law, and already full companies enough have been formed to fill at least three more regiments, while the business of recruiting still goes on as briskly as at first. They recognize the fact that the struggle is imminent and great,—that the existence of the government is involved in its success. It had not been really believed by our countrymen of the Free States that such a government as this could be broken up by those who had grown great and rich under its benign protection; but the attack upon Fort Sumter, and the fall of that stronghold, roused them like the shock of an earthquake! All previous political differences were at once forgotten, party lines obliterated, and the whole mass of the people have seized their arms and demand to be at once led forth to battle against this most foul and unnatural rebellion. They are not satisfied with an army of 75,000 men, and they mean to quadruple it. They call upon the President of the United States to abandon at once and forever the policy of mere defense of the national forts and property, and immediately to take the field to punish the traitors, who are in arms against their country, and reduce rebellious States to unconditional obedience. A dishonored flag and gallant little band driven forth with fire and sword from a national fortress, call for speedy redress, and the people of the country declare that they shall get it.

It has been thought best in all respects, that the troops to go from Michigan into the service of the United States, should be fully armed, equipped and uniformed before they leave the State. So far, this has been, I believe, well and economically done, and the two regiments are prepared to march to the assistance of the National Government, in a condition immediately to take the field, and if need be, to fight a battle. They are under the command of the most intelligent and thoroughly educated officers, several of whom have seen previous and honorable service in the army of the United States. Both officers and men are rapidly perfecting themselves in military drill and warlike science. They are gallant citizens from all



the walks of life, who go forth to fight, not for conquest, but for liberty, security and peace. I look to see them return, bearing the laurel wreath of victory.

Though the President has thus far, called for but one regiment from this State, there can be little doubt that he will finally ask for several more, and it will be your duty to provide amply in all respects, for meeting promptly and efficiently such a demand. I recommend, therefore, that the law of your late session, authorizing the raising of two regiments be so amended as to authorize calling immediately into the field for drill and placing on a war footing, four more regiments, making in all six, with power, in case of emergency, to raise the number to ten. It would seem proper also, to pay the volunteers while in the service of the State, preparatory to being called into the service of the United States, at the same rate that they will be entitled to after being mustered into that service.

The great addition to the duties of the offices of Adjutant and Quarter-Master General, occasioned by calling into active service so large a body of the militia, has rendered it necessary for these officers to devote the whole of their time to the business of their respective offices. The salaries allowed them by the present law are wholly inadequate as a compensation, having been provided solely in view of their duties during the time of peace. I recommend, therefore, such an increase of the salaries of these officers as will be a fair compensation; such increase to continue during the present national troubles. I also recommend that all subsequent enlistments be for the term of three years, or until discharged from service by the Government of the United States; and that authority be given to order the volunteers so enlisted to any point out of this State, in aid of the General Government, or of any loyal State that may be invaded by the armies of the Confederate States, or any other mob. This seems necessary for the present, and until Congress shall confer upon the President sufficient authority to call volunteers into service for a much longer term than three months.

In many instances, the companies of the volunteer uniformed militia have been mustered into the service of the United States ; and other cases will occur, while these companies still desire to retain their position in the ordinary volunteer force of the State. I recommend that these companies be authorized to organize reserve corps of their companies, which may be officered temporarily, in order that they may continue their practice and drill. I recommend also that the companies of the uniformed militia now limited to forty, be allowed to be increased to sixty.

Considerable expenses have already been incurred and paid from the voluntary loan of citizens to the State, and large expenses have been incurred in recruiting, by individuals, which there is now no authority of law for paying, while very heavy outlays will become necessary in the future, in putting the State into a condition to meet such calls as may hereafter be made by the government of the United States for troops. I recommend the raising of the necessary amount to meet every exigency, by a loan. As to what may be the best manner of effecting such a loan must be left entirely to your discretion. I think, however, it will be wise to consider that the suddenness with which this war has been thrust upon the country, has taken nearly every loyal State of the Union by surprise, and they are all, like ourselves, borrowers in the market. It will, therefore, be found essential that the loan be issued in such form as to enable our own people to take it, to a very great extent, and thereby avoid going abroad into markets where we shall meet the active competition of other States. For this purpose it seems evident that to issue a large portion of it in bonds or other securities, moderate in amount, with interest at seven per cent., payable annually at some point within the State, will be most likely to effect the object. If this course is taken, I have reason to believe that by far the greater portion of the loan will be taken in Michigan, and thus we should have the satisfaction of knowing that the patriotism of our own people was found a sufficient resource in the very greatest emer-

gency. The whole amount to be raised, I think, should not be less than one million of dollars, to be issued and used as the necessities of the State may require.

Of the power of the Legislature to authorize such a loan, I entertain no doubt whatever, and therefore do not stop to discuss it. We are in the midst of war. The very existence of the government is imperilled and we cannot stop to levy and collect taxes before forces are raised, nor would it be wise, if we could, to add to the calamities of war those of heavy taxation. That belongs properly to the times of peace and business prosperity.

It is only the dictate of humanity and justice to make provision for the support of the families of such as volunteer to fight the battles of the country in case any occasion should arise for such support. I therefore recommend that you enact a law authorizing the towns and cities of the State to levy taxes for that purpose.

Gentlemen of the two Houses: We are just entering upon a war, the exact result of which no man can foresee. The sudden and splendid outburst of popular enthusiasm which has illumined its commencement will shortly, in a great measure, disappear, and must be replaced by calm determination and resolute vigor. There will be calamities and disasters which have not been looked for. He who went forth joyously singing the national anthem, will sometime be brought back in a bloody shroud. The national resources will be rapidly consumed, business will suffer and ordinary avocations be sadly broken up. This is to be no six week's campaign. I do not under-estimate the gallantry of Southern men, and they will find it a grave error that they have under-estimated ours. The sectional pride and bitter remembrance of previous taunts, which enter into this contest will make its battles fierce and bloody. We are all sprung from a race in which cowardice is almost unknown. Although we have been mainly at peace for thirty-five years past, yet ours is naturally a martial people. It will, therefore, be wise for us to proceed very calmly and deliberately to our

preparations to meet a very great occasion. Mere outbursts of patriotic fervor will not avail. Now, that we have entered up on the war, we must patriotically accept its inevitable conditions. To whatever of calamity and disaster it may bring us, we must cheerfully submit; and whatever of self-sacrifice it may require, must be cheerfully borne. The war is just and righteous, because it is waged in behalf of the laws and the constituted authorities of our country; a country which has never, in the smallest particular, oppressed those who are in arms against it. It is our plain duty, therefore, to support and uphold, to the utmost of our ability, the National Administration at Washington. It is for the time being the *government*, and necessarily has entire charge of the conduct of hostilities. That they will be wisely conducted for the common interest and glory of the nation, we may safely believe. All captiousness of fault-finding should be discouraged. It is not possible for all to know at once the reasons for every act or even the act itself. Results are the only true tests of administration and for these we must patiently wait. Time is essential to create great armies and to conquer States, as it is to accomplish any other grand result.

It is only two months since Abraham Lincoln was inaugurated President of the United States, and during that time events have been so precipitated upon each other that it has seemed well nigh impossible to avoid some confusion. And yet, I do believe there is not much to complain of, and abundance to approve.

The power of the National Government begins to show itself unmistakably, and I take it for granted, that the time has now arrived when that government means to take the offensive and will follow the traitors to their strong holds and severely punish them. It cannot longer confine itself to mere defence of the national domain and property—it must strike treason wherever it is to be found—all the delusive pretences of the rebels about coercion and the invasion of States must be thrown to the winds, and the full right of the troops of the Federal Government to

march at pleasure over every inch of the territory of the United States must be put beyond question. There can be no neutrals in this contest. That State which refuses to aid on the lawful call of the President is as much guilty of treason as the one which, like South Carolina, makes actual war upon the Federal armies and must be treated in the same manner.

To aid in the accomplishment this great task, let us put Michigan in a situation to be able promptly and vigorously to answer any call the President may make upon us; and in doing this we must remember that one trained soldier is worth more than two untrained ones. To second the National Administration is our whole province; and to do it effectually must be our great endeavor. And while I do not expect the grand result immediately, nor that it will be attained without great sacrifices, yet I cannot doubt the final issue. It cannot be that this wicked rebellion will succeed. Utterly without cause, based upon unchastened ambition and lust of power alone, it can have neither the sympathies of mankind nor the favor of God. In point of material power the odds are very greatly with the Government; and these must finally prevail in a just cause, which enlists in its behalf the enthusiasm of all loyal citizens, and the sympathies of the just and good everywhere. I look confidently, then, to see the complete triumph of the Constitution and Government of the United States in this great contest, and the final and firm establishment in the country of the doctrines of the Declaration of Independence. They who have taken the sword will perish by the sword, and this war, inaugurated to establish slave-holding despotism forever on this continent, will result in its total and speedy destruction.

Our free and ever to be revered form of government, tried in this fierce furnace of revolution, will prove itself equal to every occasion. It will be doubly strengthened and secured in the hearts of our own people, while its power and respectability abroad will be immensely enhanced. The fame of Washington and his compatriots will glow with a brighter lustre, and the

hopes of men everywhere will be cheered and strengthened. Liberty, the great aim of mankind, will, in the triumph of the Great Republic, secure a home upon earth forever.

That God, by His mighty power, will overrule all to this great end, let us devoutly trust.

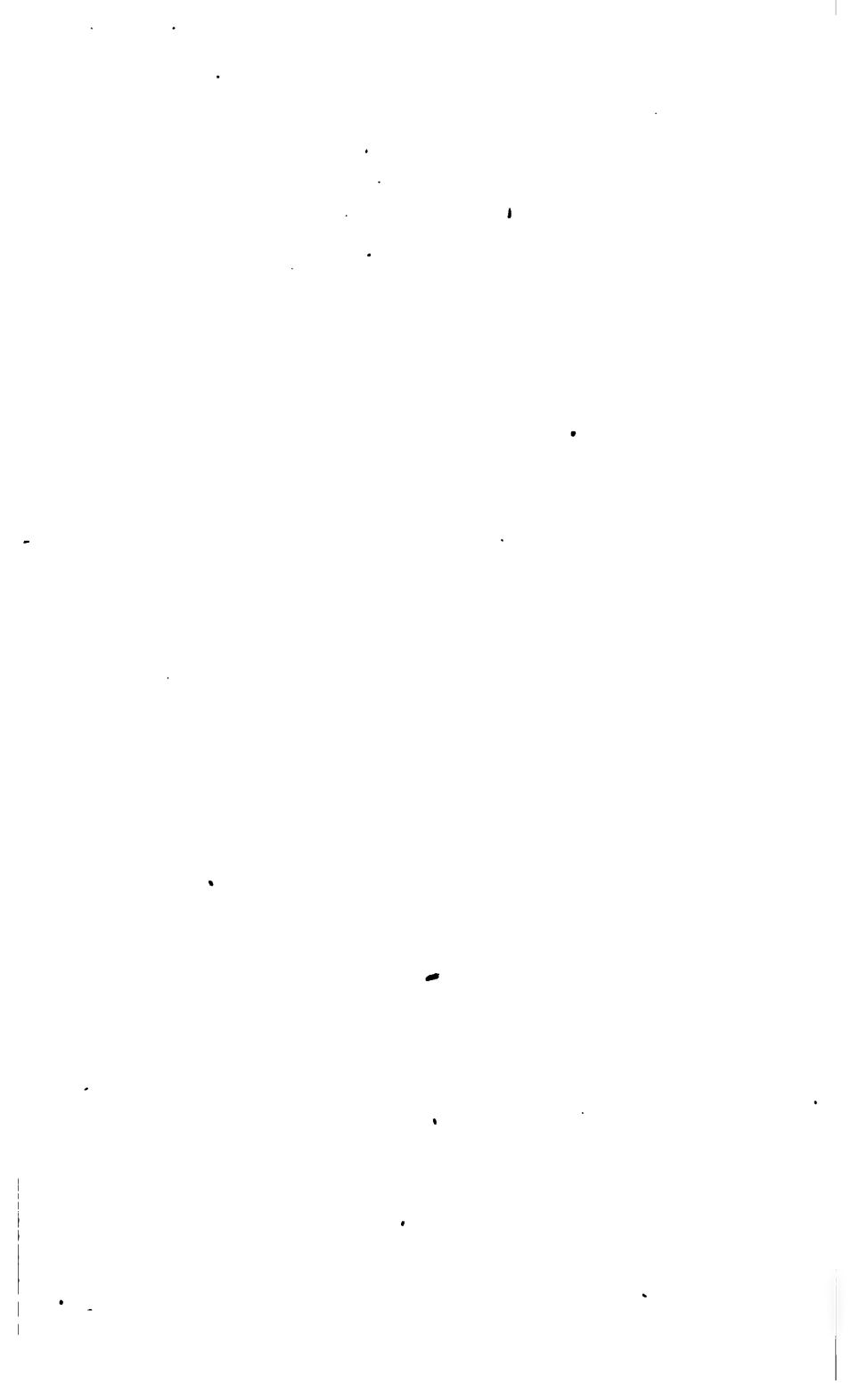
**AUSTIN BLAIR**

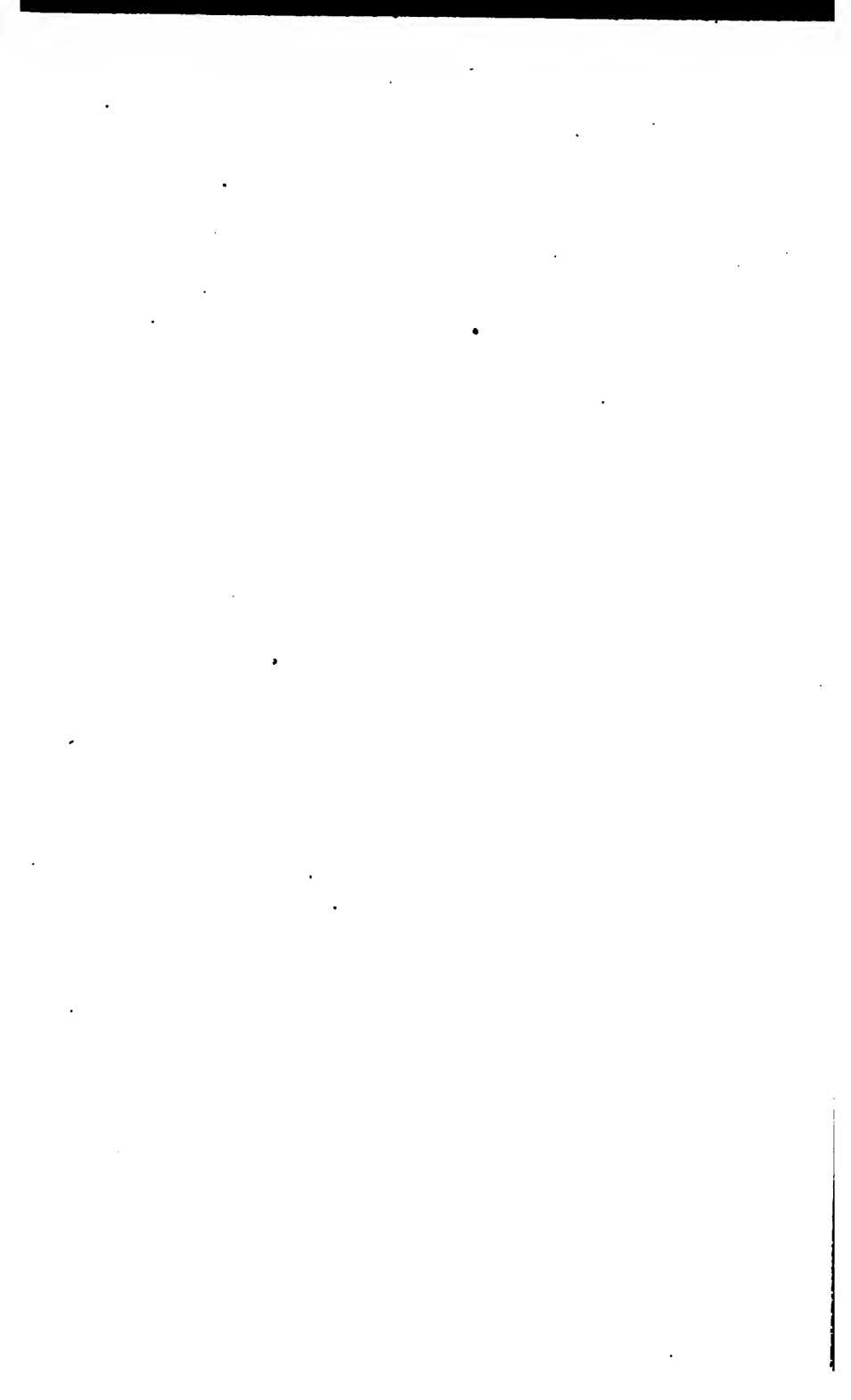












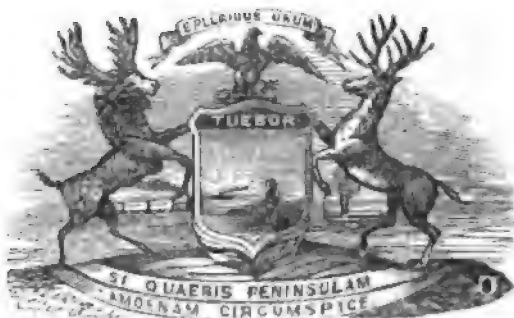


JOURNAL  
OF  
THE SENATE  
OF THE  
STATE OF MICHIGAN.

~~~~~  
EXTRA SESSION OF 1861.  
~~~~~

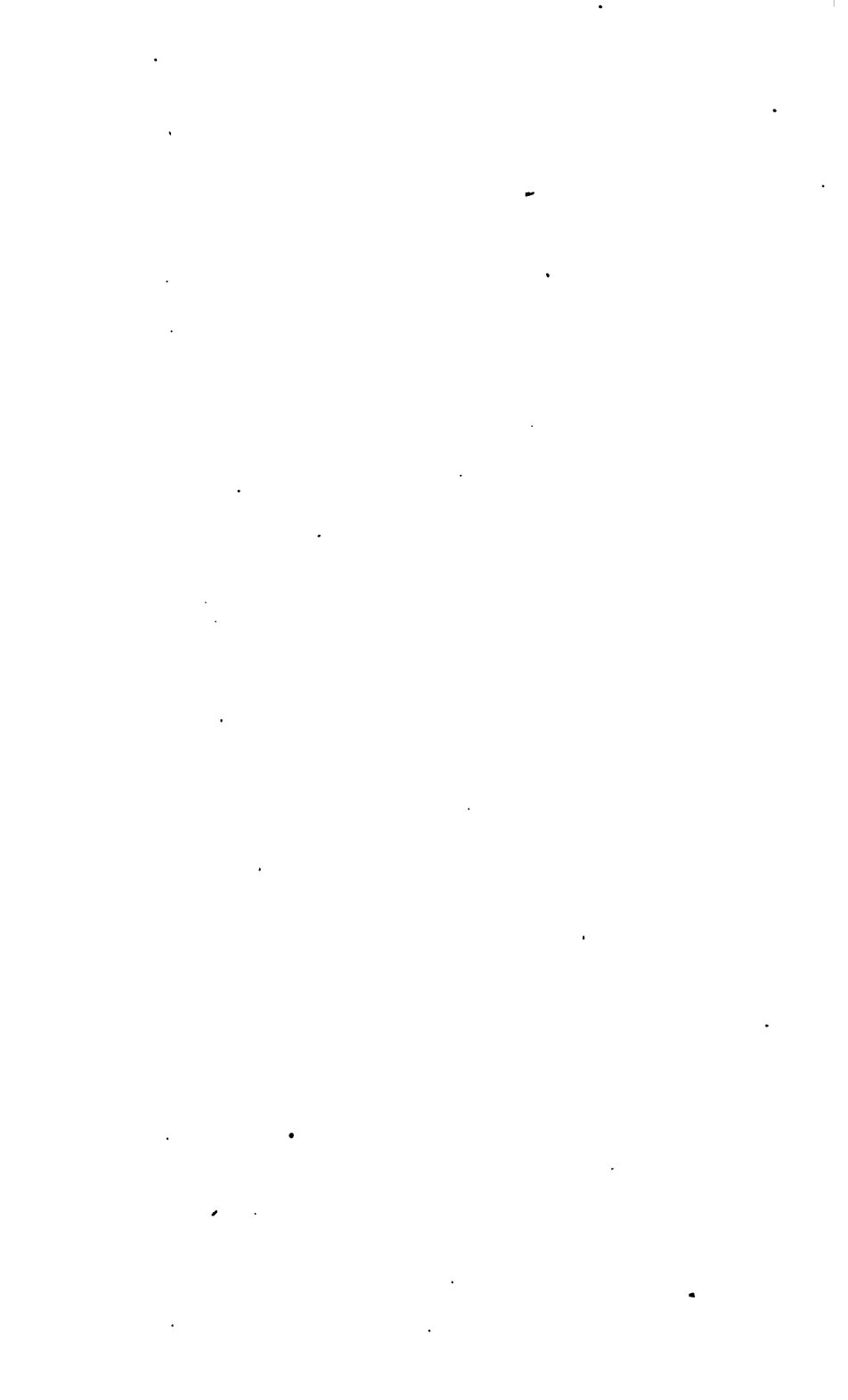
PRINTED BY VIRTUE OF AN ACT OF THE LEGISLATURE, UNDER  
THE SUPERVISION OF  
AARON B. TURNER,  
SECRETARY OF THE SENATE.

~~~~~



~~~~~  
*By Authority.*  
~~~~~

LANSGING:  
John A. Keir & Co., Printers to the State.  
-:-:-:-:-  
1861.



# SENATE JOURNAL,

EXTRA SESSION, 1861.

---

*Lansing, Tuesday, May 7, 1861.*

Pursuant to a proclamation of the Governor, the Senate convened in the Senate Chamber of the Capitol, in Lansing, at 12 o'clock, M.

The Senate was called to order by the President, Joseph R. Williams.

Prayer by Rev. Mr. Vibbert, as follows :

"Our Father who art in Heaven: we render thee hearty thanks that we are permitted again to assemble in this place—that we have been attended by thy goodness, and blessed with health and strength, and all things necessary for our comfort and maintenance.

Father, we invoke thy blessing while we labor here. We pray thee to give these, thy servants, who have assembled to make laws for this commonwealth, judgment, sound understanding, purity and strength of purpose. Fit them for the occasion. May they be found worthy citizens and wise legislators.

We implore thy blessing upon our country, upon its President, upon all its executive and legislative officers. Father, thou canst give them sound minds and singleness of purpose. May they be enabled to do right.

Father, bless our army in the contest approaching. May our banner, endeared to us by so many thrilling recollections, continue to float at the head of armies confiding in the righteousness of their cause—confiding in the God of battles. May it

•

continue to be the signal of freedom for man, the hope of the oppressed, and a terror to all oppressors.

Father, renew our faith. Help us in these troublous times to trust in thee—to feel that above the clouds which lower above our heads, thou art working, able, and having wisdom, to bring peace from war, and to strengthen Liberty by her baptism in blood. Father, we commend all that we have and are to thy keeping. Give to each and every one the measure of grace to help in need, and at last save us through Christ. Amen.”

The President then addressed the Senate as follows :

*Senators*.:—Since our adjournment the Hon. James Birney, Lieutenant Governor of the State, has resigned his office. While the State and the Senate have lost his services in our sphere of duty, he has carried to the Bench the courtesy and ability for which he was distinguished here. By virtue of an election as President *pro tempore*, the duties of the Lieutenant Governor as President of this body, devolve upon me. Possessing no natural aptitude for the performance of such duties, and having had but little experience, I must crave your patience and indulgence if errors shall be committed.

We have assembled at a crisis the most momentous that has occurred in our national history. After a period of eighty years of unexampled prosperity and progress, a diabolical conspiracy, not only against our institutions, but against humanity itself, has brought our Government to the eve of dissolution. A forbearance has been exercised with treason, that would have plunged any other Government on earth into hopeless anarchy. The Chief Magistrate of this State has wisely convened the Legislature, to deliberate upon the most efficient plan for meeting the requisition of the President of the United States for forces adequate to crushing this formidable insurrection.

History is always repeating itself. There have been crises in the history of every nation when their existence and destiny were at stake. We are in the midst of such a crisis. In the opinion of perhaps a majority of the rest of civilized mankind, the annihilation of our National Government has been only a



question of time. Whether these forebodings shall prove true or false is now to be tested. We are actors in a drama as important as the Revolution itself. The question then, was the creation of a nation. The question now, is its salvation. In a word, it is now to be determined whether we have or have not a Government.

I trust, therefore, that the whole military power, and all the resources and credit of our vigorous and prosperous Commonwealth will be freely tendered to the President, to establish the entire supremacy of the Constitution and laws, over all the possessions that our yet honored National flag ever waved over.

The other loyal States are responding with enthusiasm to the Proclamations of the President. A mighty people are arousing in their majesty, as a people only do when inspired by some intense impulse, or aroused by some overwhelming danger. The only fear now is, that the movement may become uncontrollable, in consequence of its earnestness and energy. I happened to be at the seat of Government, and witnessed the thrill of joy that pervaded the multitude when assured by the arrival of military forces that the National Capital was safe against invasion from without or treason within. Those splendid regiments, as they successively arrived, marched through the whole length of the great Avenue, from the Capitol to the President's House. As they marched with the solid tramp of giants, bound on some great mission, every burnished bayonet glistening in the sun-beams, while from every public and almost every private building streamed the national emblem, not a star yet erased from its ample folds, I could well appreciate the joy and the pride felt by the Roman citizen, when he looked upon the victorious eagles, and the indomitable legions of his renowned Republic. No citizen could look upon such a spectacle without a feeling of proud satisfaction that his country and her institutions were safe. These imposing demonstrations afford conclusive proofs, not only of the exhaustless resources and irresistible power of our common country, but of latent adequate capacity for self-preservation in any and all emergencies.

When the Constitution shall be again made supreme, a refutation will be given to all doubts and fears of the stability and permanence of our form of government, and the nation will start on a fresh career of triumph and achievement to attain a matchless future grandeur.

The Secretary called the roll, and the following named Senators answered to their names:

From the 1st District—William Adair.

|   |      |   |                      |
|---|------|---|----------------------|
| " | 2d   | " | Henry P. Baldwin.    |
| " | 3d   | " | Henry T. Backus.     |
| " | 4th  | " | John L. Near.        |
| " | 5th  | " | Byron G. Stout.      |
| " | 6th  | " | John G. Owen.        |
| " | 7th  | " | Thomas D. Lane.      |
| " | 8th  | " | Nathan Webb.         |
| " | 10th | " | William Baker, Jr.   |
| " | 11th | " | Joel Carpenter.      |
| " | 12th | " | Charles V. DeLand.   |
| " | 13th | " | Geo. H. French.      |
| " | 14th | " | John McDermid.       |
| " | 16th | " | Joseph R. Williams.  |
| " | 18th | " | Elijah Lacey.        |
| " | 19th | " | Henry C. Briggs.     |
| " | 20th | " | Stephen F. Brown.    |
| " | 22d  | " | Randolph Strickland. |
| " | 23d  | " | John H. Galloway.    |
| " | 24th | " | Elbridge G. Gale.    |
| " | 25th | " | Ira H. Butterfield.  |
| " | 27th | " | Daniel G. Wilder.    |
| " | 28th | " | John N. Ingersoll.   |
| " | 29th | " | Solomon L. Withey.   |
| " | 30th | " | Osmond Tower.        |
| " | 31st | " | Nelson Green.        |
| " | 32d  | " | Joseph Coulter.      |

The proclamation of the Governor was then read by the Secretary, as follows:

## PROCLAMATION.

*Whereas*, The States of South Carolina, Georgia, Alabama, Florida, Mississippi, Louisiana, Texas and Virginia, unmindful of the obligations of patriotism and duty, have without cause, rebelled against the just and lawful authorities of the United States ; and by combinations too powerful to be suppressed by the exercise of the civil power, have violently seized and destroyed the public property, and have levied fratricidal war against the Constitution, Government, and people of the Republic ;

*And whereas*, The President of the United States, in pursuance of his constitutional duty, and for the purpose of suppressing such unlawful combinations and insurrection, has made a requisition upon me for a portion of the Militia of the State, for the furnishing of which adequate provision is not made by law ;

Now, therefore, in this extraordinary emergency, in order that the whole military power of the State may be made available, and sufficient means furnished for arming and equipping the forces, to be used in defence of the Constitutional rights and liberties of the people, and in the preservation of the Government of the United States from destruction, and that the insulted majesty of the Nation may be fitly vindicated,

I, Austin Blair, Governor of the State of Michigan, by virtue of the power in me vested by the Constitution, do hereby convene the Legislature of this State, in extra session, requiring the Senators and Representatives to assemble in their respective chambers, at the Capital, in the city of Lansing, on Tuesday, the seventh day of May next, at twelve o'clock, noon, then and there to consider of the matters aforesaid, and to adopt such measures as the safety, dignity and honor of the country and the State demands.

In testimony whereof, I have hereunto set my  
[ L. S. ] hand, and caused to be affixed the great seal of  
the State.

Done at Lansing, this twenty-third day of April, in the year

of our Lord one thousand eight hundred and sixty-one, and of the Independence of the United States the eighty-fifth.

By the Governor,

AUSTIN BLAIR.

JAMES B. PORTER, *Secretary of State.*

On motion of Mr. Ingersoll, it was

*Resolved*, That a committee of two be appointed to inform the House of Representatives that the Senate is organized and ready to proceed to business.

The President appointed Senators Ingersoll and Adair, said committee.

On motion of Mr. DeLand, it was

*Resolved*, That a committee of two be appointed (with a like committee from the House) to wait upon the Governor and inform him the two Houses are organized and ready to hear any communication he may be pleased to make.

The President appointed Senators DeLand and Near, as such committee.

The committee appointed to inform the House of the organization of the Senate, reported that duty discharged.

Mr. Stout offered the following:

*Resolved*, That the Sergeant-at-Arms be instructed to employ one fireman for the Senate during the session;

Which was adopted.

A committee from the House appeared and announced that the House was organized, and ready to proceed to business.

Mr. Ingersoll offered the following:

*Resolved*, That the committee on supplies be and is hereby instructed to audit no accounts for stationery for any of the committees of the Senate, but that each Senator be allowed the amount of two dollars therefor;

Which resolution did not prevail.

The committee appointed to act with a like committee on the part of the House, to inform the Governor of the organization of the two Houses, reported that duty discharged, and further, that it would be the pleasure of the Governor to communicate

in person with the two Houses, in joint convention, at two o'clock this afternoon.

Mr. Carpenter offered the following:

*Resolved*, (the House concurring,) That the two Houses of the Legislature meet in joint convention to receive the message of the Governor, at two o'clock P. M., of this day;

Which was adopted.

Mr. French offered the following:

*Resolved*, That the committee on supplies be directed not to audit or allow any accounts for stationery for any of the committees of the Senate during the present session; •

Which was adopted.

On motion of Mr. Adair,

The Senate took a recess till 2 o'clock P. M.

---

#### AFTERNOON SESSION.

The Senate was called to order at 2 o'clock.

Roll called, a quorum present.

Gilman C. Jones, a Senator of the 17th District, appeared and took his seat.

On motion of Mr. Ingersoll, it was

*Resolved*, That the Chair be and is hereby requested to fill the vacancies in the standing committees, occasioned by the election of Senator Williams as President of the Senate.

The President announced the following

#### MESSAGE FROM THE OTHER HOUSE:

HOUSE OF REPRESENTATIVES, }  
Lansing, May 7, 1861.

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following concurrent resolution:

*Resolved*, (the House concurring,) That the two Houses of

the Legislature meet in joint convention, to receive the message of the Governor, at 2 o'clock P. M. of this day;

In the passage of which the House has concurred.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table.

A committee from the House announced that the House was in session, and in readiness to receive the Senate in joint convention.

Mr. French moved that the Senate forthwith proceed to the House to meet that body in joint convention;

Which motion prevailed.

The Senate thereupon proceeded to the House for such purpose.

The Senate returned, the roll was called, and the President announced that the two Houses had just met in joint convention, and had listened to a communication from the Governor.

Mr. French offered the following:

*Resolved*, That 300 copies of the Governor's message be ordered printed for the use of the Senate.

Mr. Strickland moved to amend by striking out "300" and inserting "500."

Mr. McDermid moved to amend by inserting "800."

The motion to amend did not prevail.

Mr. Tower moved to amend by adding, "and also 300 copies in the German language."

Which motion did not prevail.

The original resolution was adopted.

The President announced the following

MESSAGE FROM THE OTHER HOUSE:

HOUSE OF REPRESENTATIVES, }  
Lansing, May 7, 1861. }

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following concurrent resolution, which has passed the House:

*Resolved*, (the Senate concurring,) That the matters embraced in the message of the Governor be referred to a joint committee, consisting of five members of the Senate and eight members of the House;

And to inform the Senate that Representatives Joy, Pringle, Howell, A. W. Davis, Brownell, Warner, Choate and Morrison, have been appointed said committee on the part of the House.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the resolution was concurred in.

The President appointed, as such committee, Senators Baldwin, Brown, Stout, Withey and Coulter.

The President announced the following :

COMMUNICATION FROM THE GOVERNOR.

EXECUTIVE OFFICE, }  
*Lansing, May 7, 1861.* }

*To the Senate:*

I herewith transmit to the Legislature the resignation of Hon. James Birney, Lieutenant Governor.

AUSTIN BLAIR.

DETROIT, April 3, 1861.

*To the Legislature of Michigan :*

The undersigned, having accepted an appointment to a Judicial office, hereby tenders his resignation of the office of Lieutenant Governor of Michigan.

Very respectfully,

JAMES BIRNEY.

The communication was laid on the table.

On motion of Mr. Ingersoll, it was

*Resolved*, That from and after to-day, the Senate have two sessions daily, commencing at ten o'clock A. M., and two o'clock P. M., until otherwise ordered.

Mr. DeLand gave notice that he would ask leave to-morrow to introduce

A bill to authorize the Board of State Auditors to audit and allow the claims of State officers for expenses in certain cases.

Mr. Ingersoll moved that the rules of the Senate at its last session be adopted for the government of the Senate during the present session;

Which motion prevailed.

On motion of Mr. Carpenter,

The Senate adjourned.

---

*Lansing, Wednesday, May 8, 1861.*

The Senate was called to order at 10 o'clock.

Prayer by Rev. Mr. Hickey, of Detroit.

Roll called : all the Senators present.

On motion of Mr. Backus,

The reading of the journal was dispensed with.

Mr. Stout presented memorial of the officers of the fifth regiment of the Michigan volunteers, asking certain legislation respecting military affairs ;

Referred to the special committee on the Governor's message.

Mr. Baldwin made the following report :

The joint committee of the two Houses, to whom was referred the Governor's message,

Respectfully report that they have considered the same, so far as relates to a loan, and the authority to call volunteers to meet requisition of the Government of the United States for military aid to support and defend the Government, and for the purpose of carrying out the recommendations of the Governor, herewith submit the following entitled bills :

A bill authorizing a war loan ;

A bill to provide for a tax for interest upon the war loan ;

A bill to amend an act entitled an act to provide a military force, approved March 16, 1861, and to add several sections thereto.

The committee have not had time, and do not deem it neces-



sary to go into the detail of the bills, but having met the full approval of the committee, they recommend they do pass.

H. P. BALDWIN,

*Chairman Senate Committee.*

JAMES F. JOY,

*Chairman House Committee.*

The report was accepted the committee discharged, and the several bills read twice, by title, ordered printed, referred to the committee of the whole and placed on the general order.

Mr. Ingersoll, unanimous consent being given, introduced

A bill to provide for the punishment of certain offenses against the public safety, and to define treason and sedition;

Which was read twice, by title, and, on his motion, referred to the committee on the judiciary.

Mr. DeLand, unanimous consent being given, introduced

A bill to provide for the payment of members and officers of the extra session of the Legislature for the year 1861;

Which was read twice, by title, ordered printed, referred to the committee of the whole and placed on the general order.

Mr. Carpenter offered the following:

*Resolved*, That Wallace R. Bartlett be and he is hereby appointed enrolling and engrossing clerk of this Senate for this session;

Which was adopted.

Mr. Monroe, unanimous consent being given, introduced

A bill to authorize the boards of supervisors of the several counties in the State to raise money for the support of families of volunteers;

Which was read twice, by title, and referred to the committee on the judiciary.

Mr. DeLand, unanimous consent being given, introduced

Joint resolution relative to the printing of the journals, documents and acts of the extra session of the legislature, for the year 1861;

Which was read twice, by title, and referred to the committee on printing.

Mr. Backus, unanimous consent being given, introduced

A bill to authorize a loan, and the levy and collection of a tax for the relief and support of the families and those dependent on volunteers for military service in suppressing the present rebellion in the southern States;

Which was read twice, by title, and referred to the committee on the judiciary.

Mr. Brown, unanimous consent being given, introduced

A bill to authorize counties to raise money to defray the expenses of volunteers while military companies are being organized, and for the support of the families and dependents of indigent enlisted soldiers and officers;

Which was read twice, by title, and referred to the committee on the judiciary.

Mr. DeLand, previous notice having been given, introduced

A bill to authorize the Board of State Auditors to allow claims of State officers in certain cases;

Which was read twice, by title, and referred to the committee on the judiciary.

Mr. Tower offered the following:

*Resolved*, That three hundred copies of the daily journal be printed for the use of the Senate;

Which was adopted.

Mr. Owen offered the following:

*Resolved*, That to-morrow, at 12 o'clock, the Senate proceed to elect a President *pro tem.* of the Senate.

On motion of Mr. Ingersoll,

The resolution was laid on the table.

On motion of Mr. DeLand,

The Senate adjourned.

---

AFTERNOON SESSION.

The Senate was called to order at 2 o'clock.

Roll called: a quorum present.

The President announced the following standing committees:

*Incorporations*—Messrs. Baldwin, Carpenter, Monroe.

*State Library*—Messrs. Lane, Ingersoll, Briggs.

*State Affairs*—Messrs. Stout Backus, Green.

*Federal Relations*—Messrs. Ingersoll, Webb, Strickland.

Wallace R. Bartlett appeared, was sworn, and subscribed to the constitutional oath of office, as engrossing and enrolling clerk of the Senate.

Mr. Backus, leave being granted, made the following report :

The committee on the judiciary, to whom was referred

A bill to authorize the Board of State Auditors to allow the claims of certain State officers in certain cases,

Have had the same under consideration, and would respectfully report the same back to the Senate with the recommendation that it do pass.

All which is respectfully submitted.

H. T. BACKUS, *Chairman*.

The report was accepted, the committee discharged, and

On motion of Mr. Brown,

The bill was ordered to a third reading.

Mr. Backus also made the following report :

The committee on the judiciary, to whom was referred several bills, having relation to the raising of a fund for the aid and relief of the families and those dependent on volunteers enlisting in the military of this State, and the United States, have had said several bills under consideration, and herewith respectfully report a substitute for the same, being

A bill to provide for the aid and relief of the families and those dependent on volunteers in the military service of this State and the United States.

This substitute embraces the main features of all the bills above referred. Your committee would recommend the passage of the substitute, and ask to be discharged from the further consideration of the matter.

All which is respectfully submitted.

H. T. BACKUS, *Chairman*.

The report was accepted the committee discharged, the several bills laid on the table and the substitute ordered printed,

referred to the committee of the whole and placed on the general order. ,

Mr. Lacy made the following report:

The committee on printing, to whom was referred

Joint resolution relative to printing the journals, documents and acts of the extra session of the Legislature of 1861,

Report that they have examined the same and recommend that it do pass.

E. LACY, *Chairman*.

The report was accepted the committee discharged, and the joint resolution ordered to a third reading.

Mr. Backus made the following report:

The committee on the judiciary, to whom was referred

A bill to provide for the punishment of certain offenses against the public safety, and to define treason and sedition,

Have had the said bill under consideration, and would respectfully report the same back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

H. T. BACKUS, *Chairman*.

The report was accepted, the committee discharged, and the bill laid on the table and ordered printed.

Mr. Gale offered the following:

*Whereas*, The Senate, on the 1<sup>th</sup> inst., voted that the "committee on supplies should audit no account for stationery for any committee of the Senate;"

*And whereas*, This vote was, to all external appearances, to protect the great pecuniary interests of the State;

*And whereas*, Some of those who so voted, I notice, are in the habit of calling at the desk of the Secretary for stationery: therefore, for the sake of consistency, and the protection of the interests of the State,

*Resolved*, That the Secretary be instructed not to allow any stationery to be taken from his desk for the use of any one.

The preamble and resolution were adopted by the following vote, Mr. DeLand calling for the yeas and nays:

## YEAS.

|                                                                     |                                                                            |                                                           |
|---------------------------------------------------------------------|----------------------------------------------------------------------------|-----------------------------------------------------------|
| Mr. Bailey,<br>Baker,<br>Baldwin,<br>Carpenter,<br>DeLand,<br>Gale, | Mr. Galloway,<br>Ingersoll,<br>Lane,<br>McDermind,<br>Mulholland,<br>Owen, | Mr. Stout,<br>Strickland,<br>Tower,<br>Wilder,<br>Withey, |
|---------------------------------------------------------------------|----------------------------------------------------------------------------|-----------------------------------------------------------|

17

## NAYS.

|                                            |                                                   |                                            |
|--------------------------------------------|---------------------------------------------------|--------------------------------------------|
| Mr. Adair,<br>Backus,<br>Briggs,<br>Brown, | Mr. Butterfield,<br>Coulter,<br>French,<br>Green, | Mr. Hazen,<br>Lacy,<br>Near,<br>President, |
|--------------------------------------------|---------------------------------------------------|--------------------------------------------|

12

The President announced the following communication :

LANSING, May 8, 1861.

Hon. J. R. WILLIAMS, *President of the Senate* :

SIR—Will you please announce the following to the honorable body over which you preside ?

“The Flag of the Free will be raised over the State offices this afternoon, at 4½ o'clock. Governors Blair and Bingham, Hon. Wm. Brownell, the Rev. Mr. Errett, and others, will address the people.

A. C. WINTER,

B. H. BERRY,

W. A. BARNARD,

*Committee.*

The communication was laid on the table

On motion of Mr. Strickland,

The resolution relative to the election of President *pro tempore* was taken from the table.

Mr. Strickland moved to amend by striking out the words “to morrow, at 12 o'clock ;”

Which motion prevailed.

The Senate proceeded to an election of President *pro tempore* of the Senate.

The roll was called, and the following was the result :

## FOR MR. BACKUS.

|                       |                      |                    |
|-----------------------|----------------------|--------------------|
| Mr. Bailey,<br>Baker, | Mr. French,<br>Gale, | Mr. Near,<br>Owen, |
|-----------------------|----------------------|--------------------|

Brown,  
Butterfield,  
Carpenter,  
DeLand,

Galloway,  
Jones,  
Lacy,  
McDermid,

Strickland,  
Webb,  
Withcy,

17

FOR MR. STOUT.

Mr. Adair,  
Baldwin,  
Briggs,

Mr. Coulter,  
Hazen,  
Lane,

Mr. Mulholland,  
Wilder,

8

FOR MR. ADAIR.

Mr. Ingersoll,

1

FOR MR. WILLIAMS.

Mr. Stout,

1

FOR MR. MONROE.

Mr. Backus,

1

Mr. Backus was declared duly elected President *pro tempore* of the Senate.

Mr. Backus then addressed the Senate, as follows :

*Mr. President and Gentlemen of the Senate:*

For this expression of your confidence, unsolicited and so unexpected by me, I tender you my sincere thanks.

The evidence of your esteem, which this voluntary election of me as your presiding officer upon contingencies contemplated by the Constitution, is what gives value to this position, and affords me the laudable satisfaction that my humble services in this body have, at least to some extent, met your approbation. From one of the contingencies upon which my services as presiding officer of this body—your death, Mr. President—I humbly trust a kind Providence will preserve both you and this body, over which you have presided with so much satisfaction. Should the only other contingency occur—your resignation, Mr. President—which we are sure will not, (from your known fidelity to duty,) unless it be on the call of paramount duty, to occupy a sphere of greater usefulness, in your very loss we shall cherish the memory of a faithful officer and honest man.

If any event should, however, occur to require my services as your presiding officer, I pledge you a faithful execution of the duties the position imposes.

Mr. Ingersoll moved that the Senate go into committee of the whole for the consideration of the general order;

Which motion did not prevail.

On motion of Mr. Ingersoll,

The rule requiring the second and third reading of bills and joint resolutions to be on different days, was suspended during the present session.

### THIRD READING.

A bill to authorize the Board of State Auditors to allow claims of State officers in certain cases,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

### YEAS

|              |            |                 |
|--------------|------------|-----------------|
| Mr. Adair,   | Mr. Gale,  | Mr. Mulholland, |
| Bailey,      | Galloway,  | Near,           |
| Baker,       | Green,     | Owen,           |
| Baldwin,     | Hazen,     | Stout,          |
| Briggs,      | Ingersoll, | Strickland,     |
| Brown,       | Jones,     | Tower,          |
| Butterfield, | Lacy,      | Webb,           |
| Carpenter,   | Lane,      | Wilder,         |
| Coulter,     | McDermid,  | Withey,         |
| DeLand,      | Monroe,    | President,      |
| French,      |            |                 |

31

### NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

Joint resolution relative to the printing of the journals, documents and acts of the extra session of the Legislature for the year 1861,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

### YEAS.

|            |             |                 |
|------------|-------------|-----------------|
| Mr. Adair, | Mr. French, | Mr. Mulholland, |
| Backus,    | Gale,       | Near,           |
| Bailey,    | Galloway,   | Owen,           |
| Baker,     | Green,      | Stout,          |
| Baldwin,   | Hazen,      | Strickland,     |
| Briggs,    | Ingersoll,  | Tower,          |
| Brown,     | Jones,      | Webb,           |

Butterfield,  
Carpenter,  
Coulter,  
DeLand,

Lacy,  
Lane,  
McDermid,  
Monroe,

Wilder,  
Withey,  
President.

33

NAYS.

0

The title was agreed to, and the joint resolution ordered to take immediate effect by a vote of two-thirds of all said Senators.

Mr. DeLand offered the following:

*Resolved*, That the regular morning session of the Senate hereafter commence at 8 o'clock A. M.

Pending which,

Mr. Carpenter moved that the Senate adjourn ;

Which motion did not prevail.

Mr. Ingersoll moved to amend the resolution by striking out "8," and inserting "7 ;"

Which motion did not prevail.

The resolution was adopted.

The Senate then adjourned.

---

*Lansing, Thursday, May 9, 1861.*

The Senate was called to order at 8 o'clock.

Roll called: a quorum present.

#### PETITIONS PRESENTED.

By Mr. Baker: petition of J. M. Osborne, J. K. Boils, L. Smith Hobart, Nathan Rude and 38 others, praying for the passage of a bill providing for the relief of families of those who have volunteered into the service of this State and the United States, during their service therein ;

Referred to the special joint committee on Governor's message.

By Mr. Carpenter: petition of Rufus Wells, Stephen Stoddard and 65 others, citizens of Lenawee county, for a law appropriating 20,000 acres of swamp land to build a military road through the Cotton Wood Swamp, from Blissfield, in Lenawee county, to Ottawa Lake, in Monroe county;



Laid on the table.

By Mr. Baker: petition of D. R. Stroud, Samuel Eddy, A. W. Childs, E. M. Hulburt, B. Wright and 94 others, praying for the passage of a bill providing for the support of the families of those who may volunteer into the service of this State and of the United States, during their service;

Referred to the select joint committee on the Governor's message.

MESSAGES FROM THE OTHER HOUSE.

The President announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, May 8, 1861. }

To the President of the Senate:

SIR:—I am instructed by the House to transmit the following concurrent resolution:

*Resolved*, (the Senate concurring,) That from and after 12 o'clock, noon, of Friday, the 10th day of May inst., the two Houses will transact no further business, other than for the President of the Senate and the Speaker of the House to sign enrolled bills, for the approval of the Governor, and the entry of the same on the journals of the Senate and the House, by the Secretary and the Clerk, and that the time of the final adjournment of the two Houses of this Legislature shall be on Saturday the 11th day of May inst., at 12 o'clock, noon ;

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the resolution concurred in.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, May 9, 1861. }

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following entitled bill :

A bill to amend an act entitled "an act to provide a military force," approved March 16, 1861, and to add several sections thereto ;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill read twice referred to the committee of the whole, and placed on the general order.

GENERAL ORDER.

On motion of Mr. Brown,

The Senate went into committee of the whole on the general order;

Mr. Carpenter in the chair.

After some time spent therein, the committee rose, and through their chairman, made the following report:

The committee of the whole have had under consideration House bill No. 3, being

A bill to amend an act entitled an act to provide a military force, approved February 16, 1861, and to add several sections thereto;

Also, Senate bill No. 2, entitled

A bill to provide for the relief and support of the families and those dependent on volunteers enlisted in the service of the State and of the United States, for the suppression of the present insurrection and rebellion against the government of the United States;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend their passage.

J. CARPENTER, *Chairman*.

The report was accepted and the committee discharged.

Mr. Brown moved that the Senate concur in the amendments of Senate bill No. 2, in gross, except the amendment relating to the trustees of villages;

Which motion prevailed, and

The bill was ordered to a third reading.

Mr. Withey moved that the amendments to House bill No. 8 be concurred in, in gross;

Which motion prevailed.

Mr. Ingersoll moved to further amend by inserting the following, to stand as section 20:

Sec. 20. In addition to the one hundred companies, otherwise provided for by this act, the Governor is authorized and empowered, in his discretion, to organize a company of engineers, or sappers and miners, to consist of not over 100 men, with one captain, one first and two second lieutenants, and to muster the same into the service of the State in the manner provided for in this act;

Which motion prevailed.

Mr. Ingersoll moved to amend further by reciting section 6 of the act to which the bill is amendatory, to stand as section 21;

Which motion prevailed.

The bill was then ordered to a third reading,

Mr. Withey moved that the bill be put upon its immediate passage.

Mr. Carpenter moved to amend, that the order of third reading be taken up;

The amendment was accepted and the motion prevailed.

#### THIRD READING.

House bill No. 3, being

A bill to amend an act entitled an act to provide a military

force, approved March 16, 1861, and to add several sections thereto,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

|              |             |                 |
|--------------|-------------|-----------------|
| Mr. Adair,   | Mr. French, | Mr. Mulholland, |
| Backus,      | Gale,       | Near,           |
| Bailey,      | Galloway,   | Owen,           |
| Baker,       | Green,      | Stout,          |
| Baldwin,     | Hazen,      | Strickland,     |
| Briggs,      | Ingersoll,  | Tower,          |
| Brown,       | Jones,      | Webb,           |
| Butterfield, | Lacy,       | Wilder,         |
| Carpenter,   | Lane,       | Withey,         |
| Coulter,     | McDermid,   | President,      |
| DeLand,      | Monroe,     |                 |

32

## NAYS.

6

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

Senate bill No. 2, being

A bill to provide for the relief and support of the families and those dependent on volunteers enlisted in the service of the State and of the United States, for the suppression of the present insurrection and rebellion against the the government of the United States,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

|              |             |             |
|--------------|-------------|-------------|
| Mr. Adair,   | Mr. French, | Mr. Monroe, |
| Backus,      | Gale,       | Mulholland, |
| Bailey,      | Galloway,   | Near,       |
| Baker,       | Green,      | Owen,       |
| Baldwin,     | Hazen,      | Stout,      |
| Briggs,      | Ingersoll,  | Strickland, |
| Brown,       | Jones,      | Tower,      |
| Butterfield, | Lacy,       | Webb,       |
| Carpenter,   | Lane,       | Wilder,     |
| Coulter,     | McDermid,   | Withey,     |
| DeLand,      |             |             |

31

## NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

## MESSAGES FROM THE OTHER HOUSE.

The President announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, May 9, 1861. }

*To the President of the Senate :*

SIR—I am instructed by the House to transmit the following bill, entitled

A bill to provide a tax for the interest on the war loan ;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill read twice, by title, referred to the committee of the whole and placed on the general order.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, May 9, 1861. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bill:

A bill to authorize a war loan,

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table and the bill was read twice, by title, referred to the committee of the whole, and placed on the general order.

On motion of Mr. Carpenter,  
The Senate adjourned.

---

**AFTERNOON SESSION.**

The Senate was called to order at 2 o'clock.

Roll called : a quorum present.

The President announced a communication from the Governor, on executive business.

On motion of Mr. Ingersoll,

The Senate went into executive session.

The executive session closed.

On motion of Mr. Baldwin,

The committee of the whole was discharged from the further consideration of Senate bill No. 3, entitled

A bill to provide for the payment of members and officers of the extra session of the legislature, for the year 1861.

Mr. Baldwin moved that the bill be ordered to a third reading ;

Which motion prevailed.

Mr. Monroe, with the consent of the Senate, moved to amend by inserting at the end of section 2 the following : " and ten cents per mile for every mile actually traveled in going to and returning from the place of meeting of the legislature, on the usually traveled route."

Mr. Withey moved that the word "ten" be stricken out, and "five" inserted ;

Which motion did not prevail.

The motion to amend did not prevail, the following being the vote thereon :

**YEAS.**

Mr. Adair,  
Backus,  
Bailey,  
Baker,

Mr. Brown,  
Carpenter,  
Coulter,  
Jones,

Mr. McDermid,  
Monroe,  
Near,  
Strickland, 12

## NAYS.

|              |             |            |
|--------------|-------------|------------|
| Mr. Baldwin, | Mr. Green,  | Mr. Stout, |
| Briggs,      | Hazen,      | Tower,     |
| Butterfield, | Ingersoll,  | Webb,      |
| DeLand,      | Lacy,       | Wilder,    |
| French,      | Lane,       | Withey,    |
| Gale,        | Mulholland, | President, |
| Galloway,    | Owen,       | 20         |

Mr. DeLand, with the consent of the Senate, moved to amend so that messengers and firemen shall receive three dollars per day, and actual expenses in traveling to and from the Capital.

Mr. Strickland moved, as a substitute, to amend by inserting in 11th line, after the word "session," the following: "and the sum of four cents per mile in coming to and returning from this session of the Legislature;"

Which substitute was adopted.

The question being on the amendment as thus amended, the same prevailed, by the following vote:

## YEAS.

|              |             |             |
|--------------|-------------|-------------|
| Mr. Adair,   | Mr. Gale,   | Mr. Near,   |
| Backus,      | Jones,      | Strickland, |
| Bailey,      | Lacy,       | Webb,       |
| Brown,       | Lane,       | Wilder,     |
| Butterfield, | McDermid,   | Withey,     |
| Carpenter,   | Monroe,     | President,  |
| Coulter,     | Mulholland, | 20          |

## NAYS.

|            |             |                |
|------------|-------------|----------------|
| Mr. Baker, | Mr. French, | Mr. Ingersoll, |
| Baldwin,   | Galloway,   | Owen,          |
| Briggs,    | Green,      | Stout,         |
| DeLand,    | Hazen,      | Tower,         |
|            |             | 12             |

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

|              |              |                 |
|--------------|--------------|-----------------|
| Mr. Adair,   | Mr. Coulter, | Mr. Mulholland, |
| Backus,      | Gale,        | Near,           |
| Bailey,      | Jones,       | Strickland,     |
| Briggs,      | Lacy,        | Webb,           |
| Brown,       | Lane,        | Wilder,         |
| Butterfield, | McDermid,    | Withey,         |
| Carpenter,   | Monroe,      | President,      |
|              |              | 21              |

Butterfield,  
Carpenter,  
Coulter,  
DeLand,

Lacy,  
Lane,  
McDermid,  
Monroe,

Wilder,  
Withey,  
President.

33

NAYS.

0

The title was agreed to, and the joint resolution ordered to take immediate effect by a vote of two-thirds of all said Senators.

Mr. DeLand offered the following:

*Resolved*, That the regular morning session of the Senate hereafter commence at 8 o'clock A. M.

Pending which,

Mr. Carpenter moved that the Senate adjourn ;

Which motion did not prevail.

Mr. Ingersoll moved to amend the resolution by striking out "8," and inserting "7 ;"

Which motion did not prevail.

The resolution was adopted.

The Senate then adjourned.

---

*Lansing, Thursday, May 9, 1861.*

The Senate was called to order at 8 o'clock.

Roll called: a quorum present.

#### PETITIONS PRESENTED.

By Mr. Baker: petition of J. M. Osborne, J. K. Boils, L. Smith Hobart, Nathan Rude and 38 others, praying for the passage of a bill providing for the relief of families of those who have volunteered into the service of this State and the United States, during their service therein ;

Referred to the special joint committee on Governor's message.

By Mr. Carpenter: petition of Rufus Wells, Stephen Stoddard and 65 others, citizens of Lenawee county, for a law appropriating 20,000 acres of swamp land to build a military road through the Cotton Wood Swamp, from Blissfield, in Lenawee county, to Ottawa Lake, in Monroe county ;



Laid on the table.

By Mr. Baker: petition of D. R. Stroud, Samuel Eddy, A. W. Childs, E. M. Hulburt, B. Wright and 94 others, praying for the passage of a bill providing for the support of the families of those who may volunteer into the service of this State and of the United States, during their service;

Referred to the select joint committee on the Governor's message.

MESSAGES FROM THE OTHER HOUSE.

The President announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, May 8, 1861. }

\* *To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following concurrent resolution:

*Resolved*, (the Senate concurring,) That from and after 12 o'clock, noon, of Friday, the 10th day of May inst., the two Houses will transact no further business, other than for the President of the Senate and the Speaker of the House to sign enrolled bills, for the approval of the Governor, and the entry of the same on the journals of the Senate and the House, by the Secretary and the Clerk, and that the time of the final adjournment of the two Houses of this Legislature shall be on Saturday the 11th day of May inst., at 12 o'clock, noon ;

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the resolution concurred in.

The President also announced the following :

may be corrected, and the election legalized. This seems to me important, and I recommend it accordingly.

I enclose herewith resolutions of the Common Council of the city of Detroit, for an amendment of the city charter, to supply an omission in the act of your late session, whereby the powers of city constables and director of the poor were omitted, which I also recommend.

I also transmit the letter of Arnold Kaicher, requesting, on behalf of the Trustees of the German American Seminary, an extension of the time for the selection of their lands, under the act of your late session, which I also recommend.

AUSTIN BLAIR

On motion of Mr. Ingersoll,

The message was referred to the committee on State affairs.

Mr. Stout, with unanimous consent, introduced

A bill relative to the city of Pontiac ;

Which was read twice by title, and ordered to a third reading.

Mr. Backus, unanimous consent being given, introduced

A bill to extend the time to locate the twenty-five thousand acres of swamp land, donated to the German American Seminary of the city of Detroit ;

Which was read twice, by title, and ordered to a third reading.

Mr. Backus, unanimous consent being given, introduced

A bill to amend an act entitled an act to revise the charter of the city of Detroit, approved February 5th, 1857, approved March 12, 1861,

Which was read twice, by title, and ordered to a third reading.

#### MESSAGES FROM THE OTHER HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, May 9, 1861. }

*To the President of the Senate:*

SIR—I am instructed by the House to re-transmit the following bill, entitled

A bill to amend an act entitled an act to provide a military

force, approved March 16, 1861, and to add several sections thereto,

And to inform the Senate that the House refuses to concur in the Senate amendments made to section 8;

Also, the amendment to section 13, line 6, by striking out the word "captain" and inserting "first lieutenant;"

Also, to inform the Senate that the House has amended the Senate amendment to section 6, by striking out the word "and," between the figures "20" and "21," and adding after the figures "21" the word and figures "and 22;"

Also, that the House has amended Senate amendment to section 20, by adding thereto the words, "*Provided*, The Governor shall be informed by the war department of the United States that the said company will be accepted and mustered into the service of the United States;

The House having concurred in said amendments as amended, the concurrence of the House is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table.

The Senate receded from its amendments, in which the House refused to concur, and concurred in the further amendments of the House, by the following vote :

YEAS.

|              |                |                 |    |
|--------------|----------------|-----------------|----|
| Mr. Adair,   | Mr. Carpenter, | Mr. Mulholland, |    |
| Backus,      | DeLand,        | Near,           |    |
| Bailey,      | French,        | Stout,          |    |
| Baker,       | Jones,         | Tower,          |    |
| Baldwin,     | Lacy,          | Webb,           |    |
| Brown,       | Lane,          | Withey,         |    |
| Butterfield, | McDermid,      |                 | 20 |

NAYS.

|             |            |             |   |
|-------------|------------|-------------|---|
| Mr. Briggs, | Mr. Green, | Mr. Owen,   |   |
| Gale,       | Ingersoll, | Strickland, |   |
| Galloway,   | Monroe,    | Wilder,     | 9 |

The President also announced the following :

HOUSE OF REPRESENTATIVES,  
Lansing, May 9, 1861. }

*To the President of the Senate:*

SIR—I am instructed to return to the Senate the following entitled bill:

A bill to provide for the payment of members and officers of the extra session of the legislature for the year 1861;

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill ordered to be enrolled.

THIRD READING.

Senate bill, entitled

A bill relative to the city of Pontiac,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

YEAS.

|              |             |             |    |
|--------------|-------------|-------------|----|
| Mr. Adair,   | Mr. DeLand, | Mr. Monroe, |    |
| Backus,      | French,     | Mulholland, |    |
| Bailey,      | Gale,       | Near,       |    |
| Baker,       | Galloway,   | Stout,      |    |
| Baldwin,     | Green,      | Strickland, |    |
| Briggs,      | Ingersoll,  | Tower,      |    |
| Brown,       | Jones,      | Webb,       |    |
| Butterfield, | Lacy,       | Wilder,     |    |
| Carpenter,   | Lane,       | Withey,     |    |
| Coulter,     | McDermid,   | President,  | 30 |

NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

House bill No. 2, entitled

A bill authorizing a war loan,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows:

## YEAS.

|              |             |                 |
|--------------|-------------|-----------------|
| Mr. Adair,   | Mr. French, | Mr. Mulholland, |
| Backus,      | Gale,       | Near,           |
| Bailey,      | Galloway,   | Owen,           |
| Baker,       | Green,      | Stout,          |
| Baldwin,     | Ingersoll,  | Strickland,     |
| Briggs,      | Jones,      | Tower,          |
| Brown,       | Lacy,       | Webb,           |
| Butterfield, | Lane,       | Wilder,         |
| Carpenter,   | McDermid,   | Withey,         |
| Coulter,     | Monroe,     | President,      |
| DeLand,      |             |                 |

81

## NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

Senate bill No. 1, being

A bill to provide for the punishment of certain offenses against the public safety,

Was read a third time and not passed, a majority of all the Senators elect not voting therefor, as follows;

## YEAS.

|              |            |            |
|--------------|------------|------------|
| Mr. Bailey,  | Mr. Gale,  | Mr. Jones, |
| Baker,       | Ingersoll, | Owen,      |
| Butterfield, |            |            |

7

## NAYS.

|            |             |                 |
|------------|-------------|-----------------|
| Mr. Adair, | Mr. French, | Mr. Mulholland, |
| Backus,    | Galloway,   | Near,           |
| Baldwin,   | Green,      | Stout,          |
| Briggs,    | Hazen,      | Tower,          |
| Brown,     | Lacy,       | Webb,           |
| Carpenter, | Lane,       | Wilder,         |
| Coulter,   | McDermid,   | Withey,         |
| DeLand,    | Monroe,     | President,      |

24

Mr. DeLand moved that the vote by which the bill was not passed be reconsidered;

Which motion did not prevail, by yeas and nays, as follows:

## YEAS.

|             |            |             |
|-------------|------------|-------------|
| Mr. Bailey, | Mr. Gale,  | Mr. Owen,   |
| Baker,      | Green,     | Strickland, |
| DeLand,     | Ingersoll, | Webb,       |
| French,     | Jones,     | Withey,     |

12

## NAYS.

|              |              |                 |
|--------------|--------------|-----------------|
| Mr. Adair,   | Mr. Coulter, | Mr. Mulholland, |
| Backus,      | Galloway,    | Near,           |
| Baldwin,     | Hazen,       | Stout,          |
| Briggs,      | Lacy,        | Tower,          |
| Brown,       | Lane,        | Wilder,         |
| Butterfield, | McDermid,    | President,      |
| Carpenter,   | Monroe,      |                 |

House bill No. 1, being

A bill to provide a tax for the interest on the war loan,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

|              |             |                 |
|--------------|-------------|-----------------|
| Mr. Adair,   | Mr. French, | Mr. Mulholland, |
| Backus,      | Gale,       | Near,           |
| Bailey,      | Galloway,   | Owen,           |
| Baker,       | Green,      | Stout,          |
| Baldwin,     | Hazen,      | Strickland,     |
| Briggs,      | Ingersoll,  | Tower,          |
| Brown,       | Jones,      | Webb,           |
| Butterfield, | Lacy,       | Wilder,         |
| Carpenter,   | Lane,       | Withey,         |
| Coulter,     | McDermid,   | President,      |
| DeLand,      | Monroe,     |                 |

## NAYS.

The title was agreed to, and the bill ordered to take immediate effect by a vote of two-thirds of all said Senators.

House bill No. 5, being

A bill to provide for the relief, by counties, of the families of volunteers mustered from this State into the military service of the United States,

Came up for a third reading.

Mr. Backus moved that the bill be laid on the table ;

Which motion prevailed.

Senate bill, entitled

A bill to amend an act entitled an act to revise the charter of the city of Detroit, approved February 5th, 1857, approved March 12th, 1861,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

|              |             |                 |
|--------------|-------------|-----------------|
| Mr. Adair,   | Mr. French, | Mr. Mulholland, |
| Backus,      | Gale,       | Near,           |
| Bailey,      | Galloway,   | Owen,           |
| Baker,       | Green,      | Stout,          |
| Baldwin,     | Ingersoll,  | Strickland,     |
| Briggs,      | Jones,      | Tower,          |
| Brown,       | Lacy,       | Webb,           |
| Butterfield, | Lane,       | Wilder,         |
| Carpenter,   | McDermid,   | Withey,         |
| Coulter,     | Monroe,     | President,      |
| De Land,     |             |                 |

31

## NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all said Senators.

Senate bill, entitled

A bill to extend the time to locate the twenty-five thousand acres of swamp land donated to the German American Seminary of the city of Detroit,

Was read a third time and passed, a majority of all the Senators elect voting therefor, as follows :

## YEAS.

|              |             |             |
|--------------|-------------|-------------|
| Mr. Backus,  | Mr. Gale,   | Mr. Owen,   |
| Bailey,      | Galloway,   | Stout,      |
| Baker,       | Jones,      | Strickland, |
| Baldwin,     | Lacy,       | Tower,      |
| Brown,       | McDermid,   | Wilder,     |
| Butterfield, | Monroe,     | Withey,     |
| Carpenter,   | Mulholland, | President,  |
| DeLand,      | Near,       |             |

28

## NAYS.

|            |             |           |
|------------|-------------|-----------|
| Mr. Adair, | Mr. French, | Mr. Lane, |
| Briggs,    | Green,      | Webb,     |
| Coulter,   | Ingersoll,  |           |

8

The title was agreed to.

Mr. Backus moved that the bill be ordered to take immediate effect;

Which motion did not prevail, two-thirds of all the Senators elect not voting therefor.

Mr. Baldwin offered the following:

*Resolved*, (the House concurring,) That the Secretary of the

Senate and the Clerk of the House of Representatives, be and are hereby authorized and requested to compile and prepare for publication, and make indexes, and superintend the publication of the journals and documents of the present session of the Legislature, and when done and certified to by the Secretary of the State, they shall be entitled to receive for said services the sum of fifteen dollars each;

Which resolution was adopted, by the following vote:

## YEAS.

|              |             |                 |
|--------------|-------------|-----------------|
| Mr. Adair,   | Mr. DeLand, | Mr. Mulholland, |
| Backus,      | French,     | Near,           |
| Bailey,      | Galloway,   | Owen,           |
| Baker,       | Green,      | Stout,          |
| Baldwin,     | Ingersoll,  | Strickland,     |
| Briggs,      | Jones,      | Tower,          |
| Brown,       | Lacy,       | Webb,           |
| Butterfield, | Lane,       | Wilder,         |
| Carpenter,   | McDermid,   | Withey,         |
| Coulter,     | Monroe,     | President,      |

30

## NAYS.

Mr. Gale,

1

The Senate then adjourned.

*Lansing, Friday, May 10, 1861.*

The Senate was called to order by the President at 8 o'clock  
Roll called: a quorum present.

## PETITIONS PRESENTED.

By Mr. Backus: petition of David Carr and 21 others, asking the passage of a stringent law to punish spies and other traitors to the government;

Referred to the committee on the judiciary.

## REPORTS OF COMMITTEES.

By the joint committee:

The joint committee to whom was referred the petition of J. M. Osborn, J. K. Bois, L. Smith Hobart, Nathan Reed and 33 others; also, the petition of D. R. Stroud, Samuel Eddy, A. W.



ids, E. M. Hubbard, B. Wright and 94 others, praying for passage of a law to provide for the families of volunteers, who in the service of the State or of the United States, have had the same under consideration, and respectfully report that the committee are unanimously of the opinion that the prayer of the petitioners should be granted. Bills for this purpose are now before both Houses of the Legislature and the committee earnestly recommend favorable action on this subject, and ask to be discharged from the further consideration of the same.

H. P. BALDWIN, *Chairman.*

The report was accepted, and the committee discharged from further consideration of the subject.

MESSAGES FROM THE OTHER HOUSE.

The President announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, May 10, 1861. }

by the President of the Senate :

SIR—I am instructed by the House to transmit the following titled bill :

A bill to make an appropriation to aid the Michigan State Agricultural Society ;

And to inform the Senate that his Excellency, the Governor, has sent a special message to the House, on May 9th, 1861, calling the attention of the legislature to the subject ;

Which said bill has passed the House by a two-thirds vote of the members elect, in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table and the bill read twice, Mr. Strickland moved that the bill be placed on the order of third reading ;

Which motion did not prevail.

Mr. Strickland moved a reconsideration of the vote last taken,

Mr. Withey called for the previous question;

Which call was not sustained, the following being the vote the vote thereon:

## YEAS.

Mr. Bailey,  
French,  
Gale,  
Hazen,

Mr. Lacy,  
McDermid,  
Near,  
Owen,

Mr. Webb,  
Withey,  
President,

11

## NAYS.

Mr. Adair,  
Backus,  
Baker,  
Baldwin,  
Brown,  
Butterfield,  
Carpenter,

Mr. Coulter,  
DeLand,  
Galloway,  
Ingersoll,  
Jones,  
Lane,

Mr. Monroe,  
Mulholland,  
Stout,  
Strickland,  
Tower,  
Wilder,

19

Mr. French moved to lay the motion to reconsider on the table;

Which motion did not prevail, the following being the vote thereon:

## YEAS.

Mr. Backus,  
French,  
Galloway,  
Hazen,  
Ingersoll,

Mr. Jones,  
Lacy,  
Lane,  
McDermid,

Mr. Monroe,  
Mulholland,  
Tower,  
Withey,

13

## NAYS.

Mr. Adair,  
Bailey,  
Baker,  
Baldwin,  
Brown,  
Butterfield,

Mr. Carpenter,  
Coulter,  
DeLand,  
Gale,  
Green,  
Near,

Mr. Owen,  
Stout,  
Strickland,  
Wilder,  
President,

17

The motion to reconsider prevailed, the following being the vote thereon :

## YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baker,  
Baldwin,

Mr. DeLand,  
French,  
Gale,  
Galloway,  
Green,

Mr. Near,  
Owen,  
Stout,  
Strickland,  
Tower,

Brown,  
Butterfield,  
Carpenter,  
Coulter,

Hazen,  
Jones,  
Lacy,  
McDermid,

Webb,  
Wilder,  
Withey,  
President, 27

## NAYS.

Mr. Ingersoll,  
Lane,

Mr. Monroe,

Mr. Mulholland,

The question on ordering the bill to a third reading,

Mr. Carpenter moved the previous question.

The main question was ordered by the following vote:

## YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baker,  
Baldwin,  
Brown,  
Butterfield,

Mr. Carpenter,  
Coulter,  
DeLand,  
French,  
Gale,  
Green,  
Near,

Mr. Owen,  
Stout,  
Strickland,  
Webb,  
Wilder,  
Withey,  
President, 21

## NAYS.

Mr. Galloway,  
Hazen,  
Ingersoll,  
Jones,

Mr. Lacy,  
Lane,  
McDermid,

Mr. Monroe,  
Mulholland,  
Tower, 10

The bill was then ordered to a third reading by the following vote:

## YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baker,  
Baldwin,  
Brown,  
Butterfield,

Mr. Carpenter,  
Coulter,  
DeLand,  
French,  
Gale,  
Galloway,  
Green,

Mr. Near,  
Owen,  
Strickland,  
Webb,  
Wilder,  
Withey,  
President, 21

## NAYS.

Mr. Hazen,  
Jones,  
Lacy,

Mr. McDermid,  
Monroe,

Mr. Mulholland,  
Tower, 7

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, May 10, 1861.* }

*To the President of the Senate:*

SIR—I am instructed by the House to re-transmit the following bill, entitled

A bill to provide a tax for the interest on the war loan,  
 And to inform the Senate that the House has amended the amendment made by the Senate by adding thereto the following words: "in the manner provided in an act entitled an act authorizing a war loan, passed at this session of the legislature,"

In which amendment the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the amendment concurred in by the following vote:

YEAS.

|              |            |                 |
|--------------|------------|-----------------|
| Mr. Adair,   | Mr. Gale,  | Mr. Mulholland, |
| Backus,      | Galloway,  | Near,           |
| Bailey,      | Green,     | Owen,           |
| Baker,       | Hazen,     | Stout,          |
| Baldwin,     | Ingersoll, | Strickland,     |
| Brown,       | Jones,     | Tower,          |
| Butterfield, | Lacy,      | Webb,           |
| Carpenter,   | Lane,      | Wilder,         |
| Coulter,     | McDermid,  | Withey,         |
| DeLand,      | Monroe,    | President,      |
| French,      |            |                 |

31

NAYS.

0

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, May 10, 1861.* }

*To the President of the Senate:*

SIR—I am instructed to return to the Senate the following concurrent resolution:

*Resolved,* (the House concurring,) That the Secretary of the Senate and the Clerk of the House of Representatives, be and are hereby authorized and requested to compile and prepare for

publication, and make indexes, and superintend the publication of the journals and documents of the present session of the Legislature, and when done and certified to by the Secretary of the State, they shall be entitled to receive for said services the sum of fifteen dollars each;

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the concurrent resolution ordered enrolled.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, May 10, 1861. }

*To the President of the Senate:*

SIR:—I am instructed to return to the Senate the following entitled bill:

A bill to authorize the Board of State Auditors to allow claims of certain State officers in certain cases,

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table and the bill ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, May 10, 1861. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following concurrent resolutions :

*Resolved, (the Senate concurring,) That a joint committee,*

consisting of five members of the Senate and eight of the House, be appointed to prepare and issue an address to the people of the State, explaining the character of the bonds to be issued for the war loan, made to enable Michigan to take its place by the side of all loyal States, and do its full duty in sustaining the government of the country in the present emergency, and recommending and setting forth the reasons why the bonds should be taken by citizens of this State.

*Resolved*, (if the Senate concur,) That the President of the Senate and the Speaker of the House be members of said committee ;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the resolution was not concurred in, the following being the vote thereon:

YEAS.

Mr. Adair,  
Baker,  
Carpenter,

Mr. DeLand,  
French,

Mr. Green,  
Strickland,

NAYS.

Mr. Backus,  
Bailey,  
Baldwin,  
Brown,  
Butterfield,  
Gale,  
Galloway,

Mr. Ingersoll,  
Jones,  
Lacy,  
Lane,  
McDermid,  
Monroe,  
Mulholland,

Mr. Near,  
Owen,  
Stout,  
Tower,  
Wilder,  
Webb,  
Withey,

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, May 10, 1861.* }

*To the President of the Senate:*

SIR:—I am instructed by the House to transmit the following concurrent resolution:

*Resolved*, (if the Senate concur,) That 1,000 unbound pam-

phlets, containing all the acts of general importance passed at this session, be printed for the use of the officers and members of the Senate and House, and that the same be equally distributed, as soon as may be, among such officers and members by the contractor for State printing, by sending the same by mail, post paid, to the post office address of such officers and members;

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table and the resolution not concurred in, the following being the vote thereon:

YEAS.

|            |                |                 |    |
|------------|----------------|-----------------|----|
| Mr. Adair, | Mr. Carpenter, | Mr. Strickland, |    |
| Bailey,    | Galloway,      | Withey,         |    |
| Baker,     | Jones,         | President,      |    |
| Baldwin,   | Monroe,        |                 | 11 |

NAYS.

|              |             |           |    |
|--------------|-------------|-----------|----|
| Mr. Backus,  | Mr. Hazen,  | Mr. Near, |    |
| Brown,       | Ingersoll,  | Owen,     |    |
| Butterfield, | Lacy,       | Stout,    |    |
| DeLand,      | Lane,       | Tower,    |    |
| French,      | McDermid,   | Webb,     |    |
| Gale,        | Mullolland, | Wilder,   |    |
| Green,       |             |           | 19 |

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, May 10, 1861.* }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following concurrent resolution:

*Resolved,* (the Senate concurring,) That the Secretary of State is hereby authorized and required to forward, post-paid, to the post office address of each of the members and officers of this Legislature, the back numbers of the journal of this session of the Legislature;

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the resolution not concurred in, the following being the vote thereon :

YEAS.

|              |               |                 |    |
|--------------|---------------|-----------------|----|
| Mr. Bailey,  | Mr. Galloway, | Mr. Strickland, |    |
| Baldwin,     | Green,        | Webb,           |    |
| Butterfield, | Hazen,        | Withey,         |    |
| French,      | Jones,        | President,      |    |
| Gale,        | Monroe,       |                 | 14 |

NAYS.

|            |                |           |    |
|------------|----------------|-----------|----|
| Mr. Adair, | Mr. Ingersoll, | Mr. Near, |    |
| Backus,    | Lacy,          | Owen,     |    |
| Baker,     | Lane,          | Stout,    |    |
| Brown,     | McDermid,      | Tower,    |    |
| Carpenter, | Mulholland,    | Wilder,   |    |
| DeLand,    |                |           | 16 |

On motion of Mr. DeLand,

House bill No. 5, being

A bill to provide for the relief, by counties, of the families of volunteers mustered from this State into the military service of the United States or of this State,

Was taken from the table, and ordered to a third reading.

The bill was read a third time.

Mr. Mulholland moved to commit the same to the committee on finance ;

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, as follows:

YEAS.

|            |             |             |
|------------|-------------|-------------|
| Mr. Adair, | Mr. DeLand, | Mr. Monroe, |
| Bailey,    | Gale,       | Near,       |
| Baker,     | Galloway,   | Stout,      |
| Baldwin,   | Ingersoll,  | Strickland, |
| Brown,     | Jones,      | Tower,      |



|                                        |                    |                    |    |
|----------------------------------------|--------------------|--------------------|----|
| Butterfield,<br>Carpenter,<br>Coulter, | Lacy,<br>McDermid, | Wilder,<br>Withey, | 22 |
|----------------------------------------|--------------------|--------------------|----|

NAYS.

|                       |                          |           |   |
|-----------------------|--------------------------|-----------|---|
| Mr. Backus,<br>Green, | Mr. Lane,<br>Mulholland, | Mr. Owen, | 5 |
|-----------------------|--------------------------|-----------|---|

The title was agreed to.

On motion of Mr. Strickland,

The bill was ordered to take effect on the 15th day of June next.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, May 10, 1861. }

*To the President of the Senate:*

SIR—I am instructed to return to the Senate the following bill, entitled

A bill to provide for the relief and support of the families and those dependent on volunteers enlisted in the service of the State and of the United States, for the suppression of the present insurrection and rebellion against the government of the United States;

In the passage of which the House has not concurred, a majority of all the members elect not voting therefor.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, May 10, 1861. }

*To the President of the Senate:*

SIR—I am instructed to return to the Senate the following bill, entitled

A bill to amend an act entitled an act to amend an act entitled an act to revise the charter of the city of Detroit, approved February 5th, 1857, approved March 12, 1861;

In the passage of which the House has concurred by a ma-

majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, May 10, 1861. }

*To the President of the Senate :*

SIR—I am instructed to return to the Senate the following entitled bill :

A bill relative to the city of Pontiac ;

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table, and the bill ordered to be enrolled.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, May 10, 1861. }

*To the President of the Senate :*

SIR—I am instructed to return to the Senate the following entitled bill :

A bill to extend the time to locate the twenty-five thousand acres of swamp land donated to the German-American Seminary of the city of Detroit ;

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table and the bill ordered to be enrolled.

HOUSE OF REPRESENTATIVES, }  
Lansing, May 10, 1861. }

*To the President of the Senate:*

SIR:—I am instructed by the House to respectfully request the Senate to transmit to the House the message or messages of His Excellency, the Governor, calling the attention of the Legislature to the subjects contained in Senate bill, entitled

A bill to extend the time to locate the twenty-five thousand acres of swamp land, donated to the German-American Seminary of the city of Detroit ;

Also, Senate bill, entitled

A bill relative to the city of Pontiac ;

Also, Senate bill, entitled

A bill to amend an act entitled an act to revise the charter of the city of Detroit, approved February 5th, 1857, approved March 12, 1861.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, May 10, 1861. }

*To the President of the Senate:*

SIR:—I am instructed by the House to re-transmit the following bill, entitled

A bill to provide for the relief, by counties, of the families of volunteers mustered from this State into the military service of the United States, or of this State,

And to respectfully inform the Senate that the House has amended the order of the Senate ordering the bill to take effect on the fifteenth day of June, so that it shall take effect on the first day of June;

In which amendment the concurrence of the Senate is respectfully asked.

Very respectfully,  
ED. W. BARBER,

*Clerk of the House of Representatives*

The message was laid on the table and the order of the House concurred in by a vote of two-thirds of all the Senators elect House bill, entitled

A bill to make an appropriation to aid the Michigan State Agricultural Society,

Was read a third time, and, the question being on its passage,

Mr. Strickland moved the previous question,

The main question was ordered by the following vote:

YEAS.

|              |                |             |
|--------------|----------------|-------------|
| Mr. Adair,   | Mr. Carpenter, | Mr. Owen,   |
| Backus,      | DeLand,        | Strickland, |
| Bailey,      | French,        | Webb,       |
| Baker,       | Gale,          | Wilder,     |
| Baldwin,     | Galloway,      | Withey,     |
| Brown,       | Lacy,          | President,  |
| Butterfield, | Near,          |             |

20

NAYS.

|            |             |            |
|------------|-------------|------------|
| Mr. Green, | Mr. Jones,  | Mr. Stout, |
| Ingersoll, | Mulholland, | Tower,     |

The bill was then passed, a majority of all the Senators elect voting therefor, as follows:

YEAS.

|              |                |             |
|--------------|----------------|-------------|
| Mr. Adair,   | Mr. Carpenter, | Mr. Owen,   |
| Backus,      | Coulter,       | Strickland, |
| Bailey,      | DeLand,        | Webb,       |
| Baker,       | French,        | Wilder,     |
| Baldwin,     | Gale,          | Withey,     |
| Brown,       | Green,         | President,  |
| Butterfield, | Near,          |             |

20

NAYS.

|               |           |                 |
|---------------|-----------|-----------------|
| Mr. Galloway, | Mr. Lane, | Mr. Mulholland, |
| Ingersoll,    | McDermid, | Stout,          |
| Jones,        | Monroe,   | Tower,          |
| Lacy,         |           |                 |

10

The title was agreed to.

The President announced the following : \*

HOUSE OF REPRESENTATIVES, }  
*Lansing, May 11, 1861.*

*To the President of the Senate :*

SIR—I am instructed to return to the Senate the following joint resolution, entitled

Joint resolution relative to the printing of the journals, documents and acts of the extra session of the legislature for the year 1861;

Which the House has amended by striking out in the last line of section 1, the words "in one volume," and inserting in lieu thereof, the words "with the journals of the regular session of same year, and that the journal of the House be bound in the two volumes."

In section 2, by inserting after the word "acts," in line 1, the words "and joint resolutions;" also, by adding at the end of the section the words "and in the style of the State binding for the year 1859,"

In the passage of which, as amended, the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

ED. W. BARBER

*Clerk of the House of Representatives.*

The message was laid on the table, and the amendments concurred in by the following vote:

YEAS.

Mr. Adair,  
 Backus,  
 Bailey,  
 Baker,  
 Baldwin,  
 Brown,  
 Butterfield,  
 Coulter,  
 French,

Vr. Gale,  
 Galloway,  
 Green,  
 Hazen,  
 Jones,  
 Lacy,  
 Lane,  
 McDermid,

Mr. Monroe,  
 Near,  
 Stout,  
 Strickland,  
 Tower,  
 Webb,  
 Wilder,  
 Withey,

## NAYS.

Mr. DeLand,

Mr. Ingersoll,

Mr. Owen,

3

On motion of Mr. French, it was

*Resolved*, That the entire unanimity with which the bills for a war loan and military force have passed both branches of the Legislature, as well as the harmony of sentiment among the whole people of the loyal States, and promptness with which every call of the general government for men and means, has been responded to by the people and the States, affords a sure indication of the ultimate and complete overthrow of the present rebellion against the authority and government of the United States, and the final success and triumph of the principles of our free government.

On motion of Mr. Carpenter, it was

*Resolved*, That the thanks of this Senate are hereby tendered to the Hon. Joseph R. Williams, President of the Senate, for the able, courteous and dignified manner with which he has discharged the duties of his office during this session.

Mr. Owen offered the following:

*Resolved*, (the Senate and House of Representatives concurring,) That the five dollars authorized by the Constitution to be paid each member for stationery, be paid to each member by the State in one copy of the compiled laws of this State.

Mr. Stout moved that the resolution be indefinitely postponed; Which motion did not prevail.

The resolution was adopted.

On motion of Mr. Monroe, it was

*Resolved*, That the thanks of the Senate be and are hereby tendered to the Secretary and Assistant Secretary of the Senate for the able and satisfactory manner in which they have discharged their duties.

On motion of Mr. Tower, it was

*Resolved*, (by the Senate, the House concurring,) That we approve the action of the General Government, and that it is the opinion of this Legislature that the most energetic measures should be adopted, within its power, to suppress the present

rebellion and preserve the whole Union ; and for that purpose we again pledge the entire resources and power of the State.

On motion of Mr. Baker, it was

*Resolved*, That we tender our thanks to Messrs. Kerr & Co. for the efficient manner in which they have discharged their duty as printers to this body.

On motion of Mr. Ingersoll, it was

*Resolved*, That the committee on the judiciary, to whom was referred the petition of David Carr and others, asking for a stringent law against spies and other traitors, be and are hereby instructed to report thereon during the present session.

On motion of Mr. Baker, it was

*Resolved*, That a vote of thanks are due and are hereby tendered to the Sergeant-at-Arms, his assistant, and the messenger boys, for the prompt, efficient and gentlemanly manner in which they have discharged their duties.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, May 10th, 1861. }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following concurrent resolution:

*Resolved*, (the Senate and House of Representatives concurring,) That the five dollars authorized by the constitution to be paid each member for stationery, be paid to each member by the State in one copy of the compiled laws of this State;

In the passage of which the House has not concurred.

Very respectfully,

ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table.

Mr. Backus made the following report:

The committee on the judiciary, to whom was referred the petition of David Carr and 21 others, for the passage of a stringent law to suppress spies and traitors, have had the same under consideration, and would respectfully report, that the lateness of the time in the session of the Senate at which said

petition came to hand, prevents any action upon the subject at the present session. They therefore report the same back to the Senate, and ask to be discharged from the further consideration of the same.

H. T. BACKUS, *Chairman*.

The report was accepted, the committee discharged and the petition laid on the table.

Mr. Ingersoll submitted the following:

#### PROTEST.

The undersigned, members of the Senate, respectfully protest against the decision by which the President *pro tempore*, this morning, declared the bill appropriating two thousand dollars to the Michigan Agricultural Society, constitutionally passed. The constitution says—(Sec. 45, Art. 4)—

“The assent of two-thirds of the members elect to each House of the Legislature shall be requisite to every bill appropriating the public money or property for local or private purposes.”

The vote by which the President declared the bill passed, was 20 in the affirmative, and 10 in the negative. Twenty-two votes are necessary to make two-thirds of the Senate elect; and as the State Agricultural Society is purely an incorporated institution, which is by all law and former usage of the Legislature, placed in the same category with private persons, who can sue and be sued, and classed with other chartered institutions, whether mechanical, professional, or financial, the undersigned are compelled to protest against the decision of the chair, and the unlawful withdrawal of two thousand dollars from a depleted treasury, purely for a private purpose.

SENATE CHAMBER, LANSING, May 10, 1861.

|                    |                    |
|--------------------|--------------------|
| JOHN N. INGERSOLL, | SAMUEL MULHOLLAND, |
| H. P. BALDWIN,     | BYRON G. STOUT,    |
| T. D. LANE,        | OSMUND TOWER,      |
| EZRA HAZEN,        | JOHN McDERMID,     |
| G. C. JONES,       | JOEL CARPENTER.    |
| DARIUS MONROE,     |                    |



The protest was ordered to be entered upon the journal.

The President then addressed the Senate as follows:

*Senators*:—The time having nearly arrived for final adjournment, I beg leave to present to the Senate my acknowledgments for the resolution complimentary to myself, which they have passed.

It is a subject of deep regret, that, in a country whose glory consists in their progress in the peaceful arts and industrial pursuits, the Legislatures, State and National, should be convened in consequence of the existence of insurrection and war. An infamous conspiracy, long since initiated, has at last culminated in an attempt at revolution. The design to break up the Government, ill concealed and often avowed, has taken the occasion of an election of a President of the United States, in compliance with every requirement of the Constitution, to put in force its long cherished plans.

We have been called a parsimonious, even a sordid people; but the alacrity with which Legislatures, and the masses, pour out their money like water, and send forth their armed hosts to defend the Constitution and enforce obedience to it, is evidence that our people are capable of the most generous and noble sentiments—ever willing to stake all, and forget self, in the maintenance of civil liberty.

The masses of the loyal portion of the Union have been charged with being destitute of courage, but at the first sound of alarm, the people of all conditions, from the fields, the workshops and the counting rooms, ready to peril their lives in any conflict, rush in one great torrent to the rescue of the endangered National Capital.

It has been a question whether a country, whose people were so engrossed with industrial occupations, destitute of preparations necessary for defence or offence and almost of military organization, would be capable of meeting the great exigencies of war. But, as if by magic, armies are enrolled, and it is found that a larger share of the adult population can be spared for military service, than in any other country, whatever. The

country supposed to be destitute and unprepared, is revealed a nation of gigantic power, of boundless resources and impregnable credit.

Great advantages may result from this internal collision. The great question will be settled for all time, that no State can escape from its obligations, except by and through the Constitution itself, and every State will understand the conditions upon which they shall remain or depart from the common Union.

Triumphant in the present irrepressible antagonism between different sections of our country, the confidence of mankind will be established in our great experiment, and the future giant nation will receive, as it will deserve, the admiration of the world.

Returning to the peaceful pursuits of life, after the government is successfully vindicated, the masses will feel a new pride, and be inspired with fresh confidence in our reinvigorated institutions.

Abroad, as well as at home, the national credit will be rendered invulnerable. As a power among the nations, we shall attain a higher rank. The crowds who have annually flocked to our shores, as an asylum, will be followed by increasing multitudes, feeling an unshaken faith in their future safety and prosperity.

From the moment the first proclamation of the President for military force was issued, the stern determination of the people was taken to assume their share of all the duties and consequences of that proclamation. The State of Michigan has now, through her legislature, co-operated with her sister States with promptitude in responding to the call of the President, and is ready to contribute further all the men and means necessary to make the constitution supreme.

I congratulate you on the despatch with which our legislation has been matured. It will doubtless receive the hearty approbation of our constituents. There is a moral as well as political power in the manifestation of such promptness and unity of action.

I thank you for the kindness you have extended to me personally during our short session. Your indulgence was necessary to a man so unskilled in parliamentary duties as myself, in order that the business should be done with facility and brought to a brief and satisfactory conclusion.

The hour having arrived for our separation, with many wishes for your personal welfare individually, I pronounce the Senate adjourned.

The Senate adjourned.

—  
AFTERNOON SESSION.

2 o'clock P. M.

The Senate was called to order by the President.

Roll called : not a quorum present.

The Senate was then declared adjourned till to-morrow morning.

—  
*Lansing, Saturday, May 10, 1861.*

The President called the Senate to order at 8 o'clock.

Roll called: not a quorum present.

The committee on engrossment and enrollment made the following report :

The committee on engrossment and enrollment would respectfully report that they find the following correctly enrolled :

A bill to amend an act entitled an act to amend an act entitled an act to revise the charter of the city of Detroit, approved February 5, 1857, approved March 12, 1861 ;

Also,

A bill to provide for the payment of members of the extra session of the legislature for the year 1861 ; .

Also,

A bill to authorize the Board of State Auditors to allow the claims of State officers in certain cases ;

Also,

A bill to extend the time to locate the 25,000 acres of swamp

## NAYS.

Mr. DeLand,      Mr. Ingersoll,      Mr. Owen,      3

On motion of Mr. French, it was

*Resolved*, That the entire unanimity with which the bills for a war loan and military force have passed both branches of the Legislature, as well as the harmony of sentiment among the whole people of the loyal States, and promptness with which every call of the general government for men and means, has been responded to by the people and the States, affords a sure indication of the ultimate and complete overthrow of the present rebellion against the authority and government of the United States, and the final success and triumph of the principles of our free government.

On motion of Mr. Carpenter, it was

*Resolved*, That the thanks of this Senate are hereby tendered to the Hon. Joseph R. Williams, President of the Senate, for the able, courteous and dignified manner with which he has discharged the duties of his office during this session.

Mr. Owen offered the following:

*Resolved*, (the Senate and House of Representatives concurring,) That the five dollars authorized by the Constitution to be paid each member for stationery, be paid to each member by the State in one copy of the compiled laws of this State.

Mr. Stout moved that the resolution be indefinitely postponed; Which motion did not prevail.

The resolution was adopted.

On motion of Mr. Monroe, it was

*Resolved*, That the thanks of the Senate be and are hereby tendered to the Secretary and Assistant Secretary of the Senate for the able and satisfactory manner in which they have discharged their duties.

On motion of Mr. Tower, it was

*Resolved*, (by the Senate, the House concurring,) That we approve the action of the General Government, and that it is the opinion of this Legislature that the most energetic measures should be adopted, within its power, to suppress the present

rebellion and preserve the whole Union ; and for that purpose we again pledge the entire resources and power of the State.

On motion of Mr. Baker, it was

*Resolved*, That we tender our thanks to Messrs. Kerr & Co. for the efficient manner in which they have discharged their duty as printers to this body.

On motion of Mr. Ingersoll, it was

*Resolved*, That the committee on the judiciary, to whom was referred the petition of David Carr and others, asking for a stringent law against spies and other traitors, be and are hereby instructed to report thereon during the present session.

On motion of Mr. Baker, it was

*Resolved*, That a vote of thanks are due and are hereby tendered to the Sergeant-at-Arms, his assistant, and the messenger boys, for the prompt, efficient and gentlemanly manner in which they have discharged their duties.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, May 10th, 1861. }

*To the President of the Senate :*

SIR:—I am instructed to return to the Senate the following concurrent resolution:

*Resolved*, (the Senate and House of Representatives concurring,) That the five dollars authorized by the constitution to be paid each member for stationery, be paid to each member by the State in one copy of the compiled laws of this State;

In the passage of which the House has not concurred.

Very respectfully,

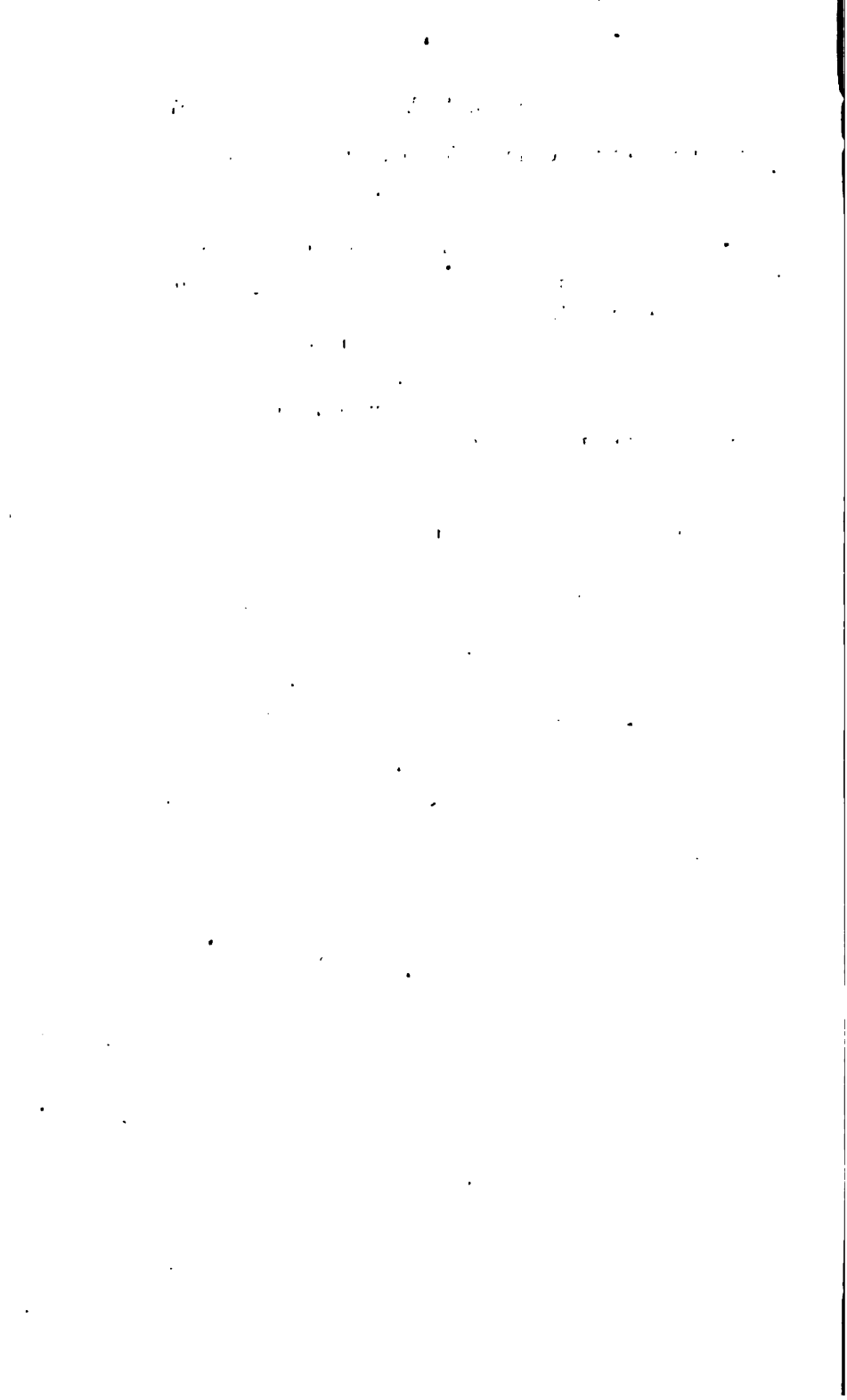
ED. W. BARBER,

*Clerk of the House of Representatives.*

The message was laid on the table.

Mr. Backus made the following report:

The committee on the judiciary, to whom was referred the petition of David Carr and 21 others, for the passage of a stringent law to suppress spies and traitors, have had the same under consideration, and would respectfully report, that the lateness of the time in the session of the Senate at which said



# EXECUTIVE JOURNAL.

---

SENATE CHAMBER, }  
*Lansing, May 9, 1861.* }

Executive session of the Senate opened at 12 o'clock, M.

The President announced and the Secretary read the following message from the Governor:

EXECUTIVE OFFICE, }  
*Lansing, May 9, 1861.* }

*To the Senate:*

I hereby nominate the several persons hereinafter mentioned to the office of notary public for the counties to which their names are attached, respectively.

AUSTIN BLAIR.

For the county of Allegan:

Lorenzo D. Buck.

For the county of Alpena:

Addrian Fletcher.

For the county of Berrien:

Charles Jewett, Francis Quinn.

For the county of Clinton:

Abner B. Wood.

For the county of Cass:

Ephraim Alexander, Franklin Brownell, Daniel Blish, Henry B. Wells.

For the county of Eaton:

Benjamin Estes, Charles W. Storr.

For the county of Emmet:

Andrew Porter.

For the county of Grand Traverse:

Gains Pease Kingsbury.

For the county of Genesee:

Calvin Cartwright.

For the county of Gratiot:

Elbridge Franklin, Addison H. Mack.

For the county of Hillsdale:

Horatio N. F. Lewis, John C. Miller, John D. Vanderwine,  
Franklin F. Palmer.

For the county of Huron:

Frederick Schilling, Alonzo L. Kimball, John D. Thompson.

For the county of Iosco:

Charles H. Whittemore, James O. Whittemore.

For the county of Ingham:

Horace Angell, Martin Hudson, Henry B. Carpenter.

For the county of Ionia:

Jacob Ferris, James H. Robinson, George Ellsworth, Wins-  
low P. Burhans, Gilbert A. Cotton, Vernon Smith, Curtis Clark,  
David Crawford, John Sinclair, Gordon A. Willett, Wilbur  
Fisher, Archibald F. Carr, George H. McMullen.

For the county of Jackson:

Henry D. Griffith, Hilar H. Hammond, Luther H. Ludlow,  
Solomon C. Crafts, Jerome B. Green, Frederick A. Kennedy,  
Jr., John Thompson, John Haddock.

For the county of Kalamazoo:

Daniel Cahill, Amos D. Allen, John G. Hill, Charles D. Ham-  
comb, Isaac Allen.

For the county of Kent:

Christopher W. Leffingwell.

For the county of Lenawee:

Joseph R. Bennett, Sylvester B. Smith, Alonzo Colegrove,  
Augustus W. Orrbuck, James H. Cole, Abiel G. Graves.

For the county of Macomb:

Daniel Woodman, Stephen H. Davis, Deliverance S. Priest,  
George W. Mathews, George W. French, Daniel G. Gleason.

For the county of Monroe:

Hiram P. Vrooman.



**For the county of Muskegon:**

**Gouvereur B. Rathbun.**

**For the county of Oakland:**

**Benjamin Brown, Allen McKay.**

**For the county of Oceana:**

**Charles A. Roosevelt.**

**For the county of St. Clair:**

**John Neeper.**

**For the county of Sanilac:**

**Levi Wixon.**

**For the county of Saginaw:**

**James A. Wisner, William A. Carpenter.**

**For the county of Shiawassee:**

**George Suyden.**

**For the county of St. Joseph:**

**Nathan H. Soule.**

**For the county of Tuscola:**

**Ebenezer W. Perry.**

**For the county of Van Buren:**

**Charles H. Miller, George W. Lawton.**

**For the county of Wayne:**

**Charles F. Trowbridge, Augustus W. Henssler, Orrin C. Thompson, Norman B. Bostwick, Willet L. Morey, Thaddeus K. Gillett.**

**For the county of Washtenaw:**

**Orville Curtis, Chauncey Walbridge,**

**On motion of Mr. Carpenter,**

**The name of Alexander R. Tiffany, of Lenawee, was laid on the table.**

**The message was referred to the select committee on executive business.**

**The executive session closed.**

---

**3 o'clock P. M.**

**Executive session opened.**

**Mr. Ingersoll made the following report:**

The committee on Executive nominations, to whom was referred the communication of the Governor, dated May 9th, 1861, submitting nominations for Notaries Public, have had the same under consideration, and have instructed me to report the same back to the Senate, and recommend that this body do advise and consent to said nominations.

JOHN N. INGERSOLL, *Chairman*

The report was accepted and the committee discharged.

The nominations of the Governor (except the one laid on the table) were advised and consented to, by the following vote:

YEAS.

Mr. Adair,  
Backus,  
Bailey,  
Baker,  
Baldwin,  
Briggs,  
Brown,  
Butterfield,  
Carpenter,  
Coulter,  
DeLand,

Mr. French,  
Gale,  
Galloway,  
Green,  
Hazen,  
Ingersoll,  
Jones,  
Lacy,  
Lane,  
McDermid,  
Monroe,

Mr. Mulholland,  
Near,  
Owen,  
Stout,  
Strickland,  
Tower,  
Webb,  
Wilder,  
Withey,  
President,

33

NAYS.

0

---

---

# INDEX.

---

---



# INDEX

TO THE

## SENATE JOURNAL.

---

### EXTRA SESSION, MAY, 1861.

Adjournment, *sine die*, 57.

#### BILLS ORIGINATING IN THE SENATE.

To authorize the Board of State Auditors to audit and allow the claims of State officers, for expenses in certain cases, 12, 14, 19, 41, 55.

To provide for the punishment of certain offenses against the public safety, 13, 16, 28, 29, 33.

To provide for the payment of members and officers of the extra session of the Legislature for the year 1861, 13, 26, 32, 55.

To authorize the boards of supervisors of the several counties in the State to raise money for the support of families of volunteers, 13, 15.

To provide for the relief and support of the families and those dependent on volunteers for military service in suppressing the present rebellion in the southern States, 14, 15, 22, 24, 45.

To authorize counties to raise money to defray the expenses of volunteers while military companies are being organized, and for the support of the families and dependents of indigent enlisted soldiers and officers, 14, 15.

Relative to the city of Pontiac, 30, 46.

To extend the time to locate the twenty-five thousand acres of swamp land, donated to the German American Seminary of the city of Detroit, 30, 35, 46, 55.

To amend an act entitled an act to revise the charter of the city of Detroit, approved February 5th, 1857, approved March 12, 1861, 30, 34, 45, 55.

## BILLS ORIGINATING IN THE HOUSE.

- To amend an act entitled "an act to provide a military force," approved March 16, 1861, and to add several sections thereto, 22, 23, 30.
- To provide a tax for the interest on the war loan, 25, 29, 34, 40.
- To authorize a war loan, 25, 29, 32.
- To provide for the relief, by counties, of the families of volunteers mustered from this State into the service of the United States, or of this State, 28, 34, 44, 47.
- To make an appropriation to aid the Michigan State Agricultural Society, 37, 48.

## CONCURRENT RESOLUTIONS OF SENATE.

- Relative to joint convention, 9.
- Relative to compiling and indexing journals and documents, 36, 40, 56, 57.
- "Appropriating" compiled laws, 50.
- Approving the war policy of the government, 50.

## CONCURRENT RESOLUTIONS OF THE HOUSE.

- Relative to time of adjournment, 21.
- Relative to joint committee to issue address, 41.
- Relative to printing acts in pamphlet form, 42.
- Authorizing Secretary of State to send journals to members by mail, 43.
- Executive session, 26.
- Joint convention of the two Houses, 10. (For proceedings, see House journal, page 8.)
- Joint committee on Governor's message, appointment of, 11; report of, 12.
- Joint resolution relative to printing the journals, documents, &c., 13, 19, 49, 56.

## MESSAGES FROM THE HOUSE.

- Transmitting concurrent resolutions, 9, 10, 21, 41, 42, 43.
- Transmitting bills, 22, 25, 28, 30, 37, 40, 47.
- Returning concurrent resolutions, 40.
- Returning bills, 32, 41, 45, 46, 49.
- Requesting transmission of Governor's message, 47.

## MESSAGES FROM THE GOVERNOR.

- Transmitting resignation of James Birney, as Lieutenant Governor, 11.
- On Executive business, 26.

Relative to the acts incorporating the cities of Pontiac and Detroit, and the German American Seminary, 30.  
 Memorial of officers of the fifth regiment of volunteers, 12.  
 Prayer by Rev. Mr. Vibbert, 3.  
 President's opening address, 4.  
 Proclamation of the Governor, 7.  
 President *pro tem.*, election of, 17; address of, 18.

# PETITIONS.

For the passage of a bill providing for the relief of families of those who have volunteered into the service of this State and the United States, during their service therein, 20, 21.  
 For a law appropriating 20,000 acres of swamp land to build a military road through the Cotton Wood Swamp, from Blissfield, in Lenawee county, to Ottawa Lake, in Monroe county, 20.  
 Asking the passage of a stringent law to punish spies and other traitors to the government, 36.  
 Protest against decision of the chair on the bill appropriating \$2,000 to the State Agricultural Society, 52.  
 President's concluding address, 53.

# RESOLUTIONS OF SENATE.

Appointing committee to inform the House of the organization of the Senate, 8.  
 Appointing committee to inform the Governor of the organization of the two Houses, 8.  
 Instructing Sergeant-at-Arms to employ a fireman, 8.  
 Relative to stationery, 8, 9.  
 Relative to vacancies in standing committees, 9.  
 Ordering the printing of Governor's message, 10.  
 Relative to two sessions daily, 11.  
 Appointing Enrolling and Engrossing Clerk, 13.  
 Ordering journals printed for Senate, 14.  
 Relative to election of President *pro tem.*, 14, 17.  
 Relative to stationery, 16.  
 Relative to hour of meeting, 20.  
 Relative to the policy of the government on rebellion, 50.  
 Tendering thanks to the President of the Senate, 50.  
     "          "      Secretary and assistant, 50.  
     "          "      State Printers, 51.  
 Instructing committee on judiciary to report on petition, 51.  
 Tendering thanks to Sergeant-at-Arms and Messenger boys, 51.

## REPORTS OF COMMITTEES.

Joint committee on Governor's message, 12, 37.

Committee on the judiciary, 15, 16, 51.

Committee on printing, 16.

Committee of the whole, 22, 29.

Senators' names and number of district, 6.

Standing committees, appointment of, 14.